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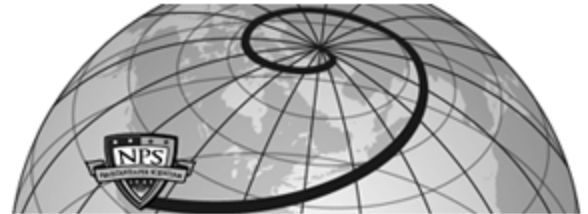
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The Persian Gulf War: A Case Study in Just War Theory

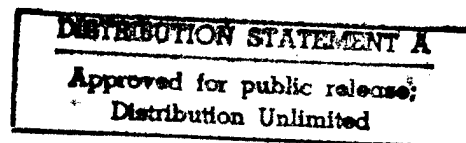
Laurence W. Jones

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Date:

4 May 1998

Approved:



**A thesis submitted in partial fulfillment of
requirements for the degree of Master of
Theology in The Divinity School of
Duke University**

1998

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I. Introduction and Background Material

A Chronology of the Persian Gulf War and Related Events¹

1921 - Sir Percy Cox of the British Colonial Office draws a border that separates Kuwait, originally part of Basra province, from Iraq, denying Iraq access to the Persian Gulf.

1968 - The Baathist Party comes to power in Iraq.

1980 - President Carter announces the "Carter Doctrine," which stipulates that the U.S. will intervene militarily in the Persian Gulf to protect U.S. access to oil resources. Iraq invades Iran with the United States' tacit approval. The U.S. aids both sides in the ensuing eight year war.

1982 - As the Iran-Iraq war continues, Iraq is removed from the list of countries that support terrorism.

1984 - The U.S. restores full diplomatic relations with Iraq.

1986 - The Iran-Contra scandal breaks in November. Still, cooperation between the U.S. and Iraq continues. U.S. aid to Iraq increases when it looks as if they will lose the war.

1988 - In August, a cease-fire agreement is signed between Iran and Iraq. Iraq had received assistance in the form of advice, manpower, intelligence, loans and weapons from the U.S., Kuwait, Saudi Arabia, Jordan, Britain, France and West Germany.

May 1990 - At a session of an emergency Arab summit, Saddam Hussein accuses Gulf states of waging economic war against Iraq.

July 1990 - Saddam Hussein accuses Kuwait of trying to destroy Iraq's economy. Iraqi troops begin to assemble in large numbers on the Kuwaiti border.

July 25, 1990 - U.S. Ambassador April Glaspie tells President Saddam Hussein of Iraq that the United States has "no opinion on ... Arab-Arab conflicts, like your border disagreement with Kuwait."

August 2, 1990 - Iraq invades Kuwait. The United Nations Security Council condemns the invasion and demands the immediate and unconditional withdrawal of Iraqi forces.

¹*But Was It Just?* ed. David E. DeCosse (New York: Doubleday, 1992), 127-130.

Also Ramsey Clark, *The Fire This Time* (New York: Thunder's Mouth Press, 1992), xxiii-xxvii.

August 5, 1990 - President Bush says of the invasion, "This will not stand, this aggression against Kuwait."

August 6, 1990 - The UN Security Council approves comprehensive economic sanctions against Iraq.

August 8, 1990 - President Bush announces the deployment of American troops and aircraft to defensive positions in Saudi Arabia.

August 12, 1990 - Iraq calls for a settlement linking withdrawal from Kuwait with Israeli withdrawal from occupied territories. The U.S. rejects the proposal.

November 8, 1990 - The President announces an increase in the number of troops (to a half million) and in equipment in order to provide for an "offensive military option."

November, 27-28, 1990 - The U.S. Senate Armed Services Committee hears testimony on the effectiveness of the economic sanctions.

November 29, 1990 - The UN Security Council sets a deadline of January 15, 1990, for the withdrawal of Iraqi forces from Kuwait; also, the Security Council authorizes member states of the United Nations "to use all necessary means" to force Iraqi compliance.

December 19, 1990 - Amnesty International reports widespread abuses of human rights by Iraqi forces in Kuwait.

January 9, 1991 - U.S. Secretary of State James Baker and Iraqi Foreign Minister Tariq Aziz meet in Geneva and fail to find a resolution to the crisis.

January 12, 1991 - The U.S. Congress adopts a joint congressional resolution authorizing the use of American military forces in order to evict Iraq from Kuwait in accordance with Security Council resolutions. The Senate vote is 52-47; the House vote is 250-183.

January 13-15, 1991 - U.N. Secretary-General Javier Perez de Cuellar meets with Saddam Hussein and makes a last-minute attempt to resolve the crisis peacefully. He is rudely rebuffed.

January 16, 1991 - Coalition forces begin air strikes and missile attacks on Iraqi forces. President Bush announces that the "liberation of Kuwait has begun."

January 18, 1991 - Iraq launches Scud missile attacks against Israel.

February 15, 1991 - President Bush calls for a popular uprising within Iraq against

Saddam Hussein.

February 21, 1991 - The Soviets announce that Iraq has agreed to full and unconditional withdrawal from Kuwait. The U.S. rejects the plan and issues an ultimatum: that Iraq withdraw from Kuwait by noon on February 23 or face a ground attack.

February 23, 1991 - The ground war begins with rapid allied advances and the capture of thousands of Iraqi troops.

February 27, 1991 - With a number of Iraqi units trapped near Basra, President Bush orders a cease-fire.

March, 1991 - "The war's aftermath continues to unfold, with the infrastructure of Iraqi cities in ruins and civilians suffering from shortages of food, drinking water, shelter, and even rudimentary medical care."²

Gulf War Statistics³

Financial Costs to the U.S.

Desert Shield 12.9 billion

Desert Storm 13.3 billion

Ground War 2.1 billion

Grand Total About 60 billion, including the cost of cleanup and return of forces

(U.S. war allies provided about \$54 billion of this total cost.)⁴

The Human Cost

U. S. Troops Deployed: 532,000

U.S. Troops Injured: 213

U.S. Casualties: 184 (Desert Shield and Desert Storm)

Iraqi Troops Deployed: Exact Number Unknown (estimated at 500,00-600,000 in Kuwait)

²Kenneth L. Vaux, *Ethics and the Gulf War* (Boulder: Westview Press, 1992), ix.

³Unless otherwise noted, this information is from "Fighting Numbers," *U.S. News and World Report*, 11 March 1991, 74.

⁴ US Department of Defense, *Conduct of the Persian Gulf War: Final Report to Congress* (Washington, D.C.: U.S. Department of Defense, 1992), 20.

Iraqi Military Casualties: Exact Number Unknown

80,000 to 100,000 (Saudi estimate)

50,000 to 150,000 (DOD estimate)

8,000 to 18,000 (George Kuhn)^{5 6 7}

Iraqi Civilian Casualties 1,591 (Iraqi estimate)⁸

Exact Numbers Unknown, estimates vary widely⁹

5

Reports on the number of Iraqi casualties vary widely. I found the most complete discussion of this subject in *Triumph Without Victory*, written by the staff of *U.S. News and World Report* (New York: Random House, 1992). They concluded that "the Central Command and the Pentagon have been reluctant to estimate the numbers of Iraqi military casualties. They note correctly that the Allied forces never engaged in a 'body count.'" (406). They summarized the Defense Department reports as follows: "Those divisions (of Iraqi troops in Kuwait) boasted 623,00 Iraqi soldiers. Of these the Central Command estimated that 65,000 were taken prisoner during the conflict. The Defense Intelligence Agency estimated that another 100,000 Iraqi soldiers perished in the war, but it conceded that the number might be wrong by as much as 50 percent in either direction. In other words, there could have been as few as 50,000 or as many as 150,000 Iraqis killed (403-404)."

⁶George Kuhn is a defense analyst who conducted a detailed four-year study for the Defense Department on the patterns of battle casualty rates. He calculated the probable number of Iraqi casualties based on the number of weapons, vehicles and other targets that the Pentagon said were destroyed in the air and ground campaigns. He estimated that the air campaign killed 5,000 to 7,000 troops, and that the four day ground war added another 3,000 to 7,000 casualties. He concluded that the air and ground campaigns may have accounted for a maximum of 8,000 to 18,000 Iraqi troops killed. His work is summarized in *Triumph Without Victory*, 407-408.

⁷*Triumph Without Victory* also made the following observation: "Anecdotal evidence from postwar interviews with Iraqi soldiers supports a conclusion that there were not as many killed as the Pentagon suggested. Iraqi prisoners talked of being terrified by bombing attacks, but not of being slaughtered by them. They told how they protected themselves by hiding in ditches next to their tanks or in their bunkers. Convoy drivers spoke of running from their vehicles when they came under attack. Historically, bombing attacks against dug-in infantry have rarely produced high casualty rates. In this case, however, they prompted wholesale desertion (408)."

⁸*US News and World Report*, March 11, 1991, 74.

⁹Private estimates vary from Greenpeaces's estimate of 72,500 to a private estimates of 11,000 to 24,000. See my discussion of the conduct of the war for more information.

Total Iraqi Civilian Casualties (including postwar): Possibly 150,000¹⁰

The Just War Debate

Although President Bush faced widespread opposition from U.S. religious leaders to his Gulf policy, most Americans supported him. In fact, *US News and World Report* reported that "President Bush's approval ratings from August 1990 through March 1991 were at 85%. Compare this figure with that of Roosevelt during World War II, which was only 84%."¹¹

The President's decision to deploy troops touched off a debate in America that reached into nearly every aspect of our lives. George Weigel observes:

There has rarely been such a sustained (and in many cases impressive) public grappling with the moral criteria and political logic of the just war tradition. Administration officials, members of Congress, senior military officers, columnists, talk-show hosts, and ordinary citizens debated the goals and instruments of U.S. gulf policy in such classic just war terms as "just cause," "competent authority," "probability of success," "last resort," "proportionality (of ends and means to ends)," and "discrimination" (between combatants and noncombatants).¹²

President Bush himself took an interest in just war theory. As a writer for *U.S.*

¹⁰This figure is from Ramsey Clark. "The devastating six-week bombing and the destructive long-term sanctions have killed tens of thousands of Iraqi civilians. Commission research shows that probably more than 150,000 civilians have died as a result of the U.S. assault on Iraq. This includes at least 100,000 postwar deaths (Clark, 83)." "Considering all evidence available to the Commission, I estimate 25,000 civilians had died from indirect effects of the bombing, embargo, shattered infrastructure, and damaged safety and health services by March 1, 1991. Adding 25,000 indirect deaths, 25,000 bombing deaths, and at least 100,000 postwar deaths makes total civilian deaths in excess of 150,000 (Clark, 83-84)."

¹¹*US News & World Report*, 11 March 1991, 74.

¹²George Weigel, "The Churches and War in the Gulf," *First Things*, March 1991, 37.

News and World Report stated:

Friends, advisers and religious leaders familiar with his thinking say that, over time, he has adopted eight moral principles that he believes justify war and four additional principles governing the actual conduct of war. In his mind, he has complied with all of them. Those familiar with the president's thinking say that he hews to the classical doctrine of a 'just war' based on the belief that deadly force is sometimes a tragic, but moral, necessity. . . Bush's view of the moral necessity of this war has emerged from two forces. The first is the long evolution of his religious beliefs. The other is his more recent discussion of war and peace with a variety of spiritual leaders.¹³

One way to understand just war theory is to view it as a kind of moral restraint on a war which might otherwise be carried out with complete abandon. Whether or not it has ever actually functioned in that capacity is up for debate. I would agree, however, with Kenneth Vaux when he observes that "the moral genius of just war constraints, for all of their limitations, was to place a check on vengeance and violence, which inevitably grow to demonic proportions."¹⁴ This thesis is an attempt to evaluate the justice of one particular war in the light of just war restraints.

I acknowledge several assumptions as I write this thesis. First, I believe that just war theory is a valid option for contemporary Christians as a way of thinking about the morality or immorality of participating in warfare. Secondly, I believe that just war theory with its use of certain generally recognized criteria can and should be used as a framework for evaluating the relative 'justness' of any particular conflict. Determining exactly which criteria are to be applied and how to apply them is not a simple process, as

¹³Kenneth T. Walsh, "Bush's Just War Doctrine," *US News and World Report*, 4 February 1991, 52.

¹⁴Vaux, 33.

I have discovered in the process of researching and writing this paper; however, the process is necessary for those who profess to hold to a just war stance.

The other available options for Christians who choose to be involved in the practice of warfare appear to be either the Crusade model or the "blank check" model¹⁵. Fortunately, most modern Christians have discarded the Crusade model. I don't know anyone lately who has encouraged Christians to "go kill a Muslim for Jesus." In the "blank check" model as described by John H. Yoder the individual grants complete approval to whatever actions the designated authority chooses to pursue. In my mind, the blank check model amounts to granting an allegiance to Caesar which, for the Christian, rightly belongs only to Christ.

How then can a Christian person who desires to apply his or her faith in the practice of warfare begin to think about these issues? Just war theory, for all its weaknesses, is one available option.

The Gulf War and the White House

One of the criteria of just war thinking is "right intention." According to Joseph Allen, right intention "refers to the motives for action . . . 'intention' refers to the objective of one's action - what one should seek to accomplish."¹⁶ Assessing a nation's motives in war is a difficult task, and the question of right intent was one of the most debated aspects of the Gulf War. Many accused America of acting only on behalf of our

¹⁵John H. Yoder, *Christian Attitudes to War, Peace and Revolution* (Elkhart, IN: Peace Resource Center, 1983), 82-85.

¹⁶Joseph L. Allen, *War: A Primer for Christians* (Nashville: Abingdon Press, 1991), 43.

national self-interests, namely protecting our supply of oil. Protest signs were seen across the country that said "No blood for oil!" As *Time* magazine reported: "Antiwar protestors shouting 'No blood for oil!' infuriated George Bush. His color rising and lip curling, he retorted in speeches and private meetings, 'It's not about oil! It's about naked aggression!'"¹⁷

Since the decision to deploy American armed forces to the Gulf was initially made by President Bush, we will review his statements in an attempt to determine what exactly his concerns and motives were in taking this action. Although the President's decision was eventually backed by both the U.S. Congress and the majority of American citizens, the question of intent must begin with the White House itself.

On August 8, 1990, President Bush, in an address from the Oval Office, announced the deployment of U.S. troops to Saudi Arabia. These forces included elements of the 82nd Airborne Division and units from the Air Force. In this speech, the President said that U.S. forces were in a "wholly defensive" posture, sent to defend Saudi Arabia and deter further Iraqi aggression. He said, "I took this action to assist the Saudi Arabian government in the defense of its homeland."¹⁸ He stated that "the sovereign independence of Saudi Arabia is of vital interest to the United States. . . U.S. forces will work together with those of Saudi Arabia and other nations to preserve the

¹⁷*Time*, 25 February 1991, 64.

¹⁸George Bush, "In Defense of Saudi Arabia," address from the Oval Office on 8 August 1990, in *The Gulf War Reader*, ed. C. Cerf and M.L. Sifry (New York: Random House, 1991), 197.

integrity of Saudi Arabia and to deter further Iraqi aggression.”¹⁹

In this statement the President expressed concern about the invasion of Kuwait, which he referred to as an “outrageous and brutal act of aggression,” but gave no specific plans to repel the invaders. He did, however, state four principles which would guide his decisions about the Gulf.

First, we seek the immediate unconditional and complete withdrawal of all Iraqi forces from Kuwait. Second, Kuwait’s legitimate government must be restored to replace the puppet regime. And third, my administration, as has been the case with every president from President Roosevelt to President Reagan, is committed to the security and stability of the Persian Gulf. And fourth, I am determined to protect the lives of American citizens abroad.”²⁰

President Bush was, of course, correct about the Gulf policy of his predecessors. President Franklin D. Roosevelt said in 1943 that “the defense of Saudi Arabia is vital to the defense of the United States.”²¹ President Carter said in his State of the Union address in 1980: “An attempt by any outside force to gain control of the Persian gulf region will be regarded as an assault on the vital interests of the United States, and such an assault will be repelled by any means necessary, including military force.”²²

In August 1990, President Bush apparently believed that economic sanctions would be sufficient to force Saddam Hussein’s army out of Kuwait. When asked, “How do you actually expect to force Hussein to withdraw from Kuwait?” he responded:

¹⁹Ibid, 198.

²⁰Ibid, 199.

²¹Ibid, 34.

²²Ibid, 35.

“Economic sanctions in this instance, if fully enforced, can be very, very effective . . . Nobody can stand up forever to total economic deprivation.”²³ One week later, on August 15th, President Bush made the following statement: “Our jobs, our way of life, our own freedom and the freedom of our allies would all suffer if control of the world’s great oil reserves fell into the hands of that one man, Saddam Hussein.”²⁴

By November, the President’s policy had changed. U.S. goals in the region remained the same, but the number of troops had increased from 10,000 to 230,000 and President Bush spoke about the possibility of offensive military action. “I have today directed the Secretary of Defense to increase the size of U.S. forces committed to Desert Shield to insure that the coalition has an adequate offensive military option should that be necessary to achieve our common goals. . . Iraq’s brutality, aggression and violations of international law cannot be allowed to succeed. . . The state of Kuwait must be restored, or no nation will be safe, and the promising future we anticipate will indeed be jeopardized.”²⁵

In his speech of January 16, 1991 President Bush specifically addressed the question of last resort. The speech was made just two hours after the air war had begun. He said:

This military action, taken in accord with United Nations resolutions and with the consent of the United States Congress, follows months of constant and virtually

²³Ibid, 199.

²⁴George Bush, 15 August 1990 speech quoted in “A Line in the Sand” (ABC News Video).

²⁵Sifry and Cerf, 229.

endless diplomatic activity on the part of the United Nations, the United States and many, many other countries.

Arab leaders sought what began as an Arab solution, only to conclude that Saddam Hussein was unwilling to leave Kuwait. Others traveled to Baghdad in a variety of efforts to restore peace and justice. Our Secretary of State, James Baker, held an historic meeting in Geneva, only to be totally rebuffed.

This past weekend, in a last-ditch effort, the Secretary-General of the United Nations went to the Middle East with peace in his heart - his second such mission. And he came back from Baghdad with no progress at all in getting Saddam Hussein to withdraw from Kuwait.

Now, the twenty-eight countries with forces in the Gulf area have exhausted all reasonable efforts to reach a peaceful resolution, and have no choice but to drive Saddam from Kuwait by force. We will not fail.²⁶

By this time it was clear that the White House had lost hope that economic sanctions would have much effect. President Bush stated: "Sanctions, though having some effect, showed no signs of accomplishing their objective. Sanctions were tried for well over five months, and we and our allies concluded that sanctions alone would not force Saddam from Kuwait."²⁷ He stated again the concerns that had existed since August: that Iraq had committed an act of aggression in invading Kuwait, that Iraqi troops had committed atrocities against Kuwaiti citizens, that Saddam Hussein possessed weapons of mass destruction, and that Iraqi aggression was threatening the economies of many nations, including our own. In his speech, Bush included the statement that "No nation will be permitted to brutally assault its neighbor."²⁸

At this time it was clear that our war objectives had expanded beyond simply

²⁶George Bush, "The Liberation of Kuwait Has Begun," speech of 16 January, 1991 in Sifry and Cerf, 311-312.

²⁷Ibid, 312.

²⁸Ibid, 314.

liberating Kuwait. The President intended to destroy the military might of Saddam Hussein. The President said: "We are determined to knock out Saddam Hussein's nuclear bomb potential. We will also destroy his chemical weapons facilities. Much of Saddam's artillery and tanks will be destroyed. Our operations are designed to best protect the lives of all the coalition forces by targeting Saddam's vast military arsenal."²⁹

In that same speech, the President spoke of a new world order, "a world where the rule of law, not the law of the jungle, governs the conduct of nations." He repeated that "our goal is not the conquest of Iraq. It is the liberation of Kuwait."³⁰

President Bush spoke about the goals of the war during a speech at the National Religious Broadcasters Convention on January 28th, 1991. He described this as a "just war ...a war in which good will prevail." He said that the war had nothing to do with religion per se but "everything to do with what religion embodies - good versus evil, right versus wrong, human dignity and freedom versus tyranny and oppression."³¹ His confidence in the rightness of our cause was reflected again in his State of the Union address, given January 28th.

Each of us will measure, within ourselves, the value of this great struggle. Any cost in lives is beyond our power to measure. But the cost of closing our eyes to aggression is beyond mankind's power to imagine. This we do know: our cause is just. Our cause is moral. Our cause is right. Let future generations understand the burden and blessings of freedom. Let them say, we stood where duty required us to stand. Let them know

²⁹Ibid, 312.

³⁰Ibid, 313.

³¹

George Bush, Address to National Religious Broadcasters, 28 January 1991, in James T. Johnson and George Weigel, *Just War and the Gulf War* (Washington, D.C.: Ethics and Public Policy Center, 1991), 142.

that together, we affirmed America, and the world, as a community of conscience.³²

I have included these statements from our former President as background material. In the pages to come we will look at other sources as well in an attempt to determine the true U.S. intent behind our involvement in the Iraq-Kuwait conflict. Attempting to understand our motives, however mixed, is critical for a fair evaluation of this war in the light of just war theory.

³²George Bush, "State of the Union," January 29, 1991, in *Vital Speeches of the Day*, 57, no. 9 (February 15, 1991), 261.

II. A Brief History of Just War Theory

This is a paper about just war theory, specifically the just war tradition in Christian thought. There has been much written about just war from the secular perspective, but to explore that facet of the subject goes beyond of the scope of this project. My intention is to examine the origins of Christian just war theory, with the hope of developing some means of evaluating the relative justice or injustice of one particular war.

During my service as a military chaplain, I have met many men and women who possess not only a sincere commitment to their profession, but also to God. I have met many men and women of honor and integrity. Our services make unusual demands on their members: long working hours under often arduous conditions, long periods of time away from home and family and, in some cases, the ultimate sacrifice of one's life. I am proud to serve with them as they stand ready to make such sacrifices when asked.

The issue of whether or not our causes are always just is another matter. In this paper I hope to lay some groundwork for discussing and evaluating these issues. It will not be comprehensive by any means. Perhaps the value of just war theory in our day is primarily to help us frame the debates over the issues that surround war. Some have argued that just war theory has no place in today's world, being outmoded by the destructiveness of modern warfare.

After a brief discussion of the origins and criteria of just war, I intend to evaluate the Persian Gulf war in the light of those criteria. A number of authors have already written on this issue and I have leaned heavily on their work. These include among

others *Ethics and the Gulf War* by Kenneth Vaux and *But Was It Just?*, edited by David DeCosse.

I am also working from a very limited knowledge of either Augustine or Aquinas; therefore, I have leaned heavily on Lisa Cahill's *Love Your Enemies and Christian Attitudes Toward War and Peace* by Roland Bainton. I have used a variety of sources for information about the war itself, including a lengthy Department of Defense report on the conduct of the war.

Some readers of this project, including some of my colleagues, may be offended by my conclusions. In no way do I intend to degrade the courage and commitment with which our men and women in the armed forces have served; however, there are several aspects of this war about which most of the American public is, I am convinced, ignorant.

The Origins of Christian Just War Theory

Just war theory, according to Paul Ramsey, is the "most uninterrupted, longest-continuing study of moral decision-making known in the Western world."³³ Without question it was Augustine who laid the foundation for Christian just war thought. Paul Ramsey describes Augustine as "the first great formulator of the theory that war might be 'just' which thereafter has mainly directed the course of Western Christian thinking about the problem of war."³⁴

³³Paul Ramsey, *War and the Christian Conscience* (Durham: Duke University Press, 1961). xxiii.

³⁴*Ibid*, 15.

Augustine, of course, did not write from a blank slate. He drew from sources, including Scripture, the Roman concept of war elaborated by Cicero and the writings of Ambrose. Bainton acknowledges this: "Christians in the fourth and fifth centuries took over from the classical world the doctrine of the just war, whose object should be to vindicate justice and restore peace. The just war had to be fought under the authority of the state and must observe a code of good faith and humanity. The Christian elements added by Augustine were that the motive must be love and that monks and priests were to be exempted."³⁵ In preparation for a review of Augustine's position on war, we will look briefly at both Cicero and Ambrose.

Just War in Roman Thought

Roland Bainton, in *Christian Attitudes Toward War and Peace*, discussed the classical origins of the just war theory. This theory, he says, was rooted in a concept of peace, which for the Romans and Greeks was more than just the absence of war. Peace was also a state of order and coherence and a state in which justice and prosperity could prevail. Bainton says that "the object of such a (just) war was the vindication of justice and the restoration of peace; of necessity, therefore, peace had to be esteemed as an ideal, and recourse to war as a very last resort after mediation had failed. The war should be so conducted as not to preclude the restoration of an enduring peace. Hence, the conduct of war would have to be restrained by a code."³⁶

³⁵Roland H. Bainton, *Christian Attitudes Toward War and Peace* (New York: Abingdon Press: 1960), 14.

³⁶*Ibid*, 33.

This code was developed by the Romans over a period of years, and was solidified in the writings of Cicero. Cicero wrote not only about a just cause for war, but also about proper conduct of a war. Bainton summarizes his thought:

His version of the just war contained certain elements derived from old Roman practice. To be just, said he, a war must be conducted by the state. A soldier not inducted by oath could not legally serve. . . One state, he continued, should not make war upon another without a formal declaration of hostilities. This stipulation was in accord with Roman practice which required that the *Fetiales*, a college of priests, should first deliver an ultimatum, allowing for thirty days for a reply . . .

In all dealings with the enemy, the code required that good faith be observed and every oath fulfilled, whether sworn by the citizen or by the state. . .

Cicero, like Plato, distinguished between the guilty and the innocent among the enemy, but he did not specify that noncombatants were to be spared. His greatest concern was with the treatment of the vanquished, because only a liberal peace was a sound basis for the building of an empire.

In war and peace the conduct of rulers and peoples should be guided by the principle of *humanitas*. . . The concept was based upon that which is congruous with the nature of man, himself a being endowed with excellence and dignity inspiring reverence. Decorum, civility, and refinement are becoming to him and should govern his deportment.³⁷

Here we can see in Roman thought the beginnings of 'modern' just war criteria: war must be waged by a proper authority (the state); a formal declaration of war must be declared; war must be fought with a just intent, to restore peace; the enemy must be treated in 'good faith'; and all oaths must be fulfilled.

The Roman theory of just war continued to evolve in the following centuries.

John Brinsfield, an Army chaplain and ethics professor, comments:

By the fourth century A.D., the Roman Just War Theory contained almost all of the major components to which modern ethicists refer. The components for a war to be just

³⁷Ibid, 42-43.

were that the war must have just cause, just conduct, proper authority and the intent to establish peace and justice. The just war was undertaken only as a last resort. Cicero himself also held to the principles of discriminating between the innocent and the guilty and of making sure that the punishment was proportional to the crime. Only in rebellions, in guerilla warfare and in wars with totally uncivilized barbarians were these rules ignored with impunity.³⁸

Ambrose (339-397) on War³⁹

Ambrose governed a province in northern Italy before he was elected bishop of Milan. He had a significant influence on Augustine, who heard his sermons and later was baptized by him. Augustine had been in Milan to study philosophy and had also been hired as a teacher of rhetoric. Ambrose wrote a tract entitled *On the Duties of the Clergy* that was largely a reworking of Cicero's *De Officiis*. He adopted Cicero's concept of just war, especially regarding the conduct of war. Ambrose connected the idea of a just war primarily with the defense of the empire, which at that time was being threatened by barbarians who, in his mind, were also heretics.

Ambrose distinguished between violence practiced in self-defense, and violence practiced in defense of the state. He opposed the former, but upheld the latter. A war for national defense or defense of one's allies are actions on behalf of the common good,

³⁸John W. Brinsfield, "From Plato to NATO; the Ethics of Warfare; Reflections on the Just War Theory, in *Military Chaplains Review*, Spring 1991, 25.

³⁹This material summarized from Bainton, 900-91 and from Lisa Cahill, *Love Your Enemies* (Minneapolis: Fortress Press, 1994), 58-61.

and thus can be acts of "courage" and "wholly just." Although "there is nothing that goes against nature as much as doing violence to another person for the sake of one's own advantage," still "any man wins a glorious reputation for himself if he strives for universal peace at personal risk to himself."⁴⁰

Ambrose taught that the moral life can be upheld by Christians even if they practice violence. He said: "The law calls for reciprocal vengeance; the Gospel commands us to return love for hostility, good will for hatred, prayers for curses. It enjoins us to give help to those who persecute us, to exercise patience toward those who are hungry and to give thanks for a favor rendered."⁴¹

Augustine (354-430 AD)

Augustine was born in North Africa, the son of a well-educated man who held a government position. He received a classical education and in early adulthood studied Manicheanism in depth. He studied Plato and taught rhetoric in Milan, where he came under the influence of Ambrose. He was eventually baptized by Ambrose, and joined a small community where he retired to a life of study, prayer and writing. He later became pastor in Hippo, a port city in North Africa. As bishop there he exerted, and still exerts, considerable influence on the Christian world through his preaching and writings. Bainton notes that "the position of Augustine ... is of extreme importance because it continues to this day in all essentials to be the ethic of the Roman Catholic church and of

⁴⁰ Ambrose, *On the Duties of the Clergy* 3.3.23 in Louis J. Swift, *The Early Fathers on War and Military Service* (Wilmington, Del.: Michael Glazier, 1983), 98.

⁴¹ Ambrose, *Discourse on Luke's Gospel*, quoted in Swift, *The Early Fathers*, 100.

the major Protestant bodies."⁴²

To understand Augustine properly, one must understand the massive cultural changes that took place during his lifetime. During his reign, the emperor Constantine (306-337 AD) declared Christianity as the official state religion. Christians came to see the state no longer as a threat, but as the official protector of their faith. Christians were no longer an outcast minority, but members of the official religion endorsed by the governing powers. Louis Swift remarked: "It is a truism that the reign of Constantine represents a watershed in the development of Christian attitudes concerning war and military service" since "the question is no longer whether participation in war is justified but what conditions should govern the right to declare war and what rules should be observed in waging it."⁴³ Cahill notes also that "on the historical plane, Augustine faced what must have seemed dire concrete threats to a precariously established political and religious culture: barbarian challenges to the empire, and the attacks of heretics on the unity of the African church. The peace established by Constantine was also a peace for Christianity to which it was important to cling tenaciously and whose stability it was crucial to augment."⁴⁴

Christians of this time struggled to determine what their relationship to this "world order" would be, and how they would participate in it. Augustine was determined

⁴²Bainton, 99.

⁴³Swift, 80.

⁴⁴Cahill, 66.

to demonstrate the "positive relation of the Christian church to the common good"⁴⁵ since Christians had been accused of not supporting the empire.

Some theologians have argued that Augustine's entire position on war was a mistake, a compromise with the prevailing government, a "fall" from the purity of the Christian pacifism of the previous three centuries. There is no doubt that the debate will go on for some time. Paul Ramsey is one who defends Augustine's thinking:

The change-over to just war doctrine and practice was not a "fall" from the original purity of Christian ethics; but, however striking a turning-full-circle, this was a change of tactics only. The basic strategy remained the same: responsible love and service of one's neighbor in the texture of the common life. The primary motive and foundation for now approving Christian participation in warfare was the same as that which before, in a different social context, led Christians out of Christlike love for neighbor wholly to disapprove of the use of armed force. Christians simply came to see that the service of the real needs of all the men for whom Christ died required more than personal, witnessing action. It also required them to be involved in maintaining the organized social and political life in which all men live. Non-resisting love had sometimes to resist evil."⁴⁶

As already noted, knowing the historical setting of Augustine's life is critical to a proper understanding of his thought. In addition, several key themes emerge that frame his statements about war. Augustine was discouraged about the possibility of Christian perfection. "Augustine has abandoned his belief in the possibility of Christian perfection on earth. With the passing of Christian perfection was coupled the vanishing of the dream of peace on earth. Swords never had been beaten into plowshares and never

⁴⁵Cahill, 61.

⁴⁶Ramsey, xvii.

would.”⁴⁷

Along with this general discouragement about human nature, Augustine valued order and peace as a great good in a society. According to Richard Miller, the center of Augustine’s logic of war is “an overarching theory of the meaning of peace” which is “not the absence of violence but tranquility, concord, a set of properly ordered relations within or between human beings.”⁴⁸ Augustine believed that this peace and order would have to be maintained by force and that such a use of force was justified. He said that this “is not a peace secured by faith . . . The so-called peace and justice of the earthly order are maintained only with tools and at costs that are abhorrent to the citizen of God’s city, and they are employed and paid with revulsion.”⁴⁹ Therefore the protection of the community or of the neighbor’s community could be a just cause for war.

How did Augustine reconcile killing in war with Christ’s command to love the neighbor? He tried to reconcile love and violent action by separating inward disposition from outward action. “The inwardness of Augustine’s ethic serves to justify outward violence, because right and wrong were seen to reside not in acts but in attitudes . . . Killing and love could the more readily be squared by Augustine because in his judgment life in the body is not of extreme importance.”⁵⁰ What really mattered, it seems, was one’s inner attitude. Did Augustine believe that a soldier could kill an enemy

⁴⁷Bainton, 91.

⁴⁸Richard B. Miller, *Interpretations of Conflict: Ethics, Pacifism, and the Just-War Tradition* (Chicago: Univ. of Chicago Press, 1991), 21.

⁴⁹Cahill, 65.

⁵⁰Bainton, 92.

while maintaining a heart attitude of love? Apparently, he did and he said that love was the supreme motive for going to war. "The distinctive points in Augustine's theory were these: that love should be the motive in war, and that justice should lie on one side only."⁵¹

Augustine described a number of requirements that must be met in order for a war to be "just." The war must be waged by a proper authority (the state). Private citizens do not have the right to kill another person, even if attacked. Cahill notes: "Augustine carefully observes that only those possessed of ordered and authoritative power have the duty to punish as 'when a soldier kills an enemy or the judge or official puts a criminal to death.' Private citizens may not kill, even to protect themselves from a robbery that presents danger or death, or to shorten the suffering of a dying person."⁵²

A justifiable war must have a just cause. These include, for Augustine, the defense of the state and punishing wrongs committed against it. Bainton remarks that, for Augustine, "the object of a just war is to vindicate justice. . .Honor is to be preferred to safety, but ordinarily the divine law permits self-defense to states. Other injuries to be forcibly rectified included failure to make amends and refusal to grant passage."⁵³ Augustine believed that " 'the peace and safety of the community' are the justification for war; where these are the objectives, war is in obedience to God's will. The soldier will be innocent in carrying out even an 'unrighteous command' of the king, on whom he

⁵¹Bainton, 98.

⁵²Cahill, 69.

⁵³Bainton, 96.

sought to rely for the determination of just or unjust cause.”⁵⁴ Cahill notes that “although Augustine calls war of domination mere ‘robbery,’ wars to protect the lawful security of the state, or even to punish wrongs committed against it, are a different matter.”⁵⁵

Augustine believed that, while some causes might be just, no Christian person could participate in war except with sorrow and grief. He said: “For it is the wrongdoing of the opposing party which compels the wise man to wage just wars; and this wrongdoing, even though it give rise to no war, would still be a matter of grief to man because it is man’s wrong-doing. Let every one, then, who thinks with pain on all these great evils, so horrible, so ruthless, acknowledge that this is misery.”⁵⁶

There is some interesting correspondence between Augustine and Boniface, the Roman general in command in Africa. The Vandals were threatening Africa, and Boniface and his Roman soldiers were the only defense. After Boniface’s wife died, he decided to enter a monastery. Augustine wrote to discourage him, saying that his services were needed and necessary. Augustine encouraged Boniface in his role, not as a warrior, but as a peace maker. “Peace should be the object of your desire. War should be waged only as a necessity and waged only that through it God may deliver men from that necessity and preserve them in peace. For peace is not to be sought in order to kindle war, but war is to be waged in order to obtain peace. Therefore even in the course of war

⁵⁴Cahill, 72.

⁵⁵Cahill, 73.

⁵⁶Augustine, *The City of God*, XIX: 7.

you should cherish the spirit of a peace maker."⁵⁷

Lisa Cahill sums up Augustine's position on war as follows:

Augustine was willing to commend the use of violence if undertaken at the behest of a legitimate civil authority (understood to have authority from God), if necessary to punish crime or to uphold the peace, and if the combatants intended to establish justice rather than hatefully to inflict suffering on their enemies. Augustine relegated most practical implications of Jesus' "hard sayings" to the Christian's personal affairs, there excluding killing in self-defense. To kill to save one's own life represents an inordinate attachment to a personal temporal good rather than to God's will; but to kill selflessly for the common good may be justified because the good of all is greater than that of one. Moreover, the killing of the one may be interpreted as an act of love.⁵⁸

Nonetheless, Augustine not only sets limits on violence, but also tries to bring permission of violence into constant contact with the evangelical norm of love. . . The duty of prerogative to undertake violent punishment is restricted. A private individual, Christian or not, may not punish a criminal, even in self-defense; this duty belongs to those who have lawful authority, deriving ultimately from God. Wars that the authorities undertake must be guided by concern for the common good, that is, the establishment of the tenuous peace within and among peoples that is possible in this life.⁵⁹

Thomas Aquinas (1225-1274)

Paul Ramsey states: "Two main alterations of the just-war doctrine took place between Augustine and Aquinas. First, a shift from voluntarism to rationalism in understanding the nature of political community, and therefore an increasing emphasis upon the natural-law concept of justice in analysis of the cause that justifies participation in war. This is what is usually meant by the doctrine of just war. . . Secondly, rules for the

⁵⁷Bainton, 96.

⁵⁸Cahill, 58.

⁵⁹Cahill, 79.

right conduct of war were drawn up, particularly for the protection of noncombatants.”⁶⁰

Lisa Cahill notes that the concept of natural law played an important role in

Aquinas' thought: The most significant difference of Aquinas from Augustine is that for the former the commitment to a reasonable moral order, knowable in principle by all human beings and forming the basis of a common morality, moves to center stage. For Augustine, the emphasis is on the divine basis or order and the disruption of order in history by sin. Certainly, for Aquinas, order and its transcendent grounding are still important. But for the purposes of ethics, ordered relations among persons and things are understood in terms of those entities' finite, particular natures. . . In Aquinas' ethical writings, the urgency of life in the kingdom is subordinated to the importance of building human communities in the created order.⁶¹

Like Augustine, Aquinas believed that the true purpose of war should be to serve peace. "Elaborating on Augustine's premise that 'peace is tranquility of order,' Aquinas explains that true peace includes the harmony and fulfillment of all one's desires.”⁶² Aquinas insists that although it may be more perfect not to resist evil done to oneself, it may even be a matter of vice if one refrains from acting, “ 'tolerating patiently the wrongs done to others.' . . Excepting the special case of the ordained, there is a moral obligation to redress injustice even if so doing requires the violent coercion of the aggressor.”⁶³

Aquinas saw that the peace and order of a political community would have to be maintained by law and its enforcement. Cahill comments: "It should be stressed that for Aquinas, peace in political community is accomplished by justice and the rule of law

⁶⁰Ramsey, 32.

⁶¹Cahill, 83.

⁶²Cahill, 85.

⁶³Cahill, 88.

much more emphatically than for Augustine, for whom the possibility of a genuine earthly peace is constantly overshadowed by the distant peace of the Heavenly City."⁶⁴

In *Summa Theologica*, Aquinas commented on the criteria for a just war.

Three things are required for war to be just. The first is the authority of the sovereign on whose command war is waged . . . Secondly, a just cause is required, namely that those who are attacked are attacked because they deserve it on account of some wrong they have done . So Augustine wrote, "We usually describe a just war as one that avenges wrongs, that is, when a nation or state has to be punished either for refusing to make amends for outrages done by its subjects, or to restore what has been seized injuriously . . ." Thirdly, the right intention of those waging war is required, that is, they must intend to promote the good and to avoid evil . . . authority and a just cause for declaring a war, it may yet be wrong because of a perverse intention. So again Augustine says, "The craving to hurt people, the cruel thirst for revenge, the unappeased and unrelenting spirit, the savageness of fighting on, the lust to dominate, and such like - all these are rightly condemned in wars."⁶⁵

It was another theologian after Aquinas, Franciscus de Victoria (1492-1546), who developed what James Turner Johnson referred to as "the first clear and complete statement of what has come to be conceived as the classic requirements of the doctrine of just war."⁶⁶ Cahill summarizes: "These requirements, although variously formulated, are generally understood to include, under *jus ad bellum*, legitimate authority (expressed in a declaration of war), just cause, right intention, and the purpose of peace or the common good (with regard to the attainment of which there must be a 'reasonable hope

⁶⁴Cahill, 92.

⁶⁵Thomas Aquinas, *Summa Theologica* (London: Blackfriars, 1971), II Q 40 Art 1, 80-85.

⁶⁶James J. Turner, "Morality and Force in Statecraft: Paul Ramsey and the Just War Tradition," in *Love and Society: Essays in the Ethics of Paul Ramsey*, ed. James Johnson and David Smith (Missoula, Mont.: Scholars Press, 1974), 95.

of success'); and under, *jus in bello*, discrimination or noncombatant immunity, and proportionality of damage caused to good achieved as a limitation on the weapons or tactics of war."⁶⁷

In his book, *Ethics and the Gulf War*, Kenneth Vaux summarizes what he considers to be the Augustinian/Thomistic tradition of just war. They are as follows:

A. There is a greater merit in preventing war by peaceful negotiation and conciliation than in vindicating rights by bloodshed.

B. Peace attained by conciliation is better than peace attained by victory.

C. There is a natural society of mankind which gives rise to certain rights and duties relevant to the morality of war.

D. The absence of a superior tribunal before which a prince can seek redress can alone justify him in making war, except when he resists actual attack.

E. Saving the direct intervention of God, the following conditions must in addition be fulfilled before a war can be just:

1. It must have a *just cause*: this can only be a grave injury received (e.g., actual invasion, unlawful annexation of territory; grave harm to citizens or their property; denial of peaceful trade and travel) or a great injustice perpetrated upon others whom it is a duty to help (e.g., the same injuries as above, violation of religious rights).

2. It must be *necessary*: that is, the only available means of restoring justice or preventing the continued violation of justice.

3. It must be the consequence of a *formal warning* to the offending state and must be formally declared.

4. It must be declared and waged only by the *sovereign authority* in the state (i.e., one who has no political superior) and, if the defense of religious rights is involved, with the consent of the church.

5. The good to be attained by war must be reasonably supposed to be *greater than the certain evils*, material and spiritual, which war entails.

⁶⁷Cahill, 93.

6. A *right intention* must actuate . . . the declaration, conduct, and conclusion of war. That intention can only be the restoration or attainment of true peace.

7. *Only so much violence* may be used as is necessary: in the case of defense, only so much as is necessary to repel the violence of the aggressor.

F. The *moral responsibility* for war lies upon the *sovereign authority*, not upon the individual soldier or citizen: his duty is to obey, except in a war which he is certainly convinced is wrong.

G. Priests may not fight, even in just war.

H. The duty of *repelling injury inflicted* upon another is the common obligation of all rulers and peoples.⁶⁸

In looking specifically at the Persian Gulf war, I have attempted to employ the concepts of just war as found in this tradition. In regard to the decision to engage in war, I will review the criteria of just cause, right intention, proper authority and last resort. In reviewing the conduct of the war, I will use the twin criteria of proportion and discrimination.

⁶⁸Vaux, 1-2.

III. Just War Theory and the Debate Over the Gulf War

A. Just Cause

I will begin the evaluation of the Persian Gulf war with the subject of "just cause." Just cause, in the Augustinian-Thomistic tradition, is defined as "a grave injury received, e.g., actual invasion; unlawful annexation of territory; grave harm to citizens or their property; denial of peaceful trade and travel) or a great injustice perpetrated upon others whom it is a duty to help."⁶⁹ This is not unlike the secular tradition of just war, in which a just cause consists of "some wrong that has been done or is about to be done, a wrong that is to be repaired or prevented. Traditionally, the types of just cause have been (1) to protect people from unjust attack, (2) to restore rights that have wrongly been taken away, and (3) to defend or reestablish a just political order."⁷⁰

Those who have endorsed the Persian Gulf War as a just war point to the Iraqi invasion of Kuwait as a clear example of a just cause. The fact that the United Nations condemned the invasion supports this conclusion. The unjust invasion of Kuwait was President Bush's primary justification to the American people for deploying our forces and probably the main reason that most Americans supported this war.

Further, there was strong evidence that Iraqi troops in Kuwait were committing grave violations of human rights in that country. Before the war began, President Bush had a meeting with Edmund Browning, the presiding bishop of the Episcopal Church. Bishop Browning had opposed the war, and the President asked him if he had seen the

⁶⁹Vaux, 2.

⁷⁰Allen, 36.

Amnesty International report on Kuwait. Amnesty International reported that widespread abuses of human rights had been perpetrated by Iraqi forces following the invasion of Kuwait on 2 August. These included "the arbitrary arrest and detention without trial of thousands of civilians and military personnel; the widespread torture of such persons in custody; the imposition of the death penalty and the extrajudicial execution of hundreds of unarmed civilians, including children." The report also states: "In addition, hundreds of people in Kuwait remain unaccounted for, having effectively 'disappeared' in detention, and many of them are feared dead. To date, an estimated 300,000 Kuwaitis have fled their country, as well as several hundred thousand foreign nationals working in Kuwait. Their accounts of the abuses they have either witnessed or experienced have received worldwide media coverage."⁷¹

Other human rights violations in Kuwait included "widespread destruction and looting of public and private property" and the "looting of medicines, medical equipment and food supplies. The massive scale of destruction and looting which has been reported suggests that such incidents were neither arbitrary nor isolated, but rather reflected a policy adopted by the government of Iraq."⁷² The report went on to say that:

Iraq has failed to respond to appeals on behalf of victims of human rights violations in both Iraq and Kuwait launched by various non-governmental organizations, including Amnesty International. On 3 August, the organization appealed publicly to the Iraqi government on behalf of Iraqi exiles living in Kuwait who were reported to have been arrested immediately following the invasion. There are grave fears for their lives as they risk torture and execution in Iraq. On 23 August,

157. ⁷¹Excerpts from Amnesty International's Report of 19 December, 1990 in Sifry and Cerf,

⁷²Ibid, 158.

Amnesty International expressed its concerns to the Iraqi government about a wide range of human rights violations, including continuing arbitrary arrests, rape, summary executions and extrajudicial killings. . . The organization also expressed its concern about the extension of the scope of the death penalty to include looting and the hoarding of food. . . Finally, the organization expressed grave concern about the extrajudicial killings of unarmed civilians, including children, by Iraqi forces.⁷³

Kenneth Vaux believes that these abuses were of grave concern to President Bush. He states: "The actual and imagined violence of Saddam Hussein seemed to play a large part in the moral, almost Manichean, imagination of George Bush, as he contemplated the justice of impending war. Later in the chronicle I will note Bush's grave concern over the atrocities against the Kuwaitis and the abuse he feared against the U.S. embassy staff and Western hostages. In his fierce difference of opinion with the majority of U.S. religious leaders on the justice of the cause, he felt that he could not stand idly by while a madman was brutalizing innocent people."⁷⁴

It is agreed by most observers that the U.S. and the Coalition had a just cause in this war. Saddam Hussein's forces had wrongly invaded Kuwait. Innocent people in that country were being brutalized. Even those who opposed the war acknowledged these basic facts. Just war theory supports the conclusion that to turn a deaf ear to the Kuwaiti people would have been wrong; however, in looking closely at this conflict two issues arise that cloud the moral horizon: the history of the Iraq-Kuwait conflict and the nature of the Kuwaiti regime itself.

There had been a border dispute between these two nations since the boundaries

⁷³Ibid, 159-160.

⁷⁴Vaux, 11.

were drawn up by the British. The British had deliberately denied Iraq direct access to the Persian Gulf. Since oil is their primary export, access to the Gulf is critical to Iraq, and may have been the primary reason behind the Iran-Iraq war. There are two uninhabited islands, Bubiyan and Warba, that would allow Iraq clearer access to the Gulf, and these have been given to Kuwait. These islands were part of the ongoing border dispute. Kenneth Vaux comments:

The certainty of "just cause" actually appears ambivalent. On the one hand, a situation of clear aggression, unlawful annexation of territory, and acts of brutality, even atrocity, against the people of Kuwait did exist. On this one point the war was clearly justified. On the other hand, the background causes are less clear. Was the situation between Iraq and Kuwait a "border dispute," in which case just war theory counsels noninvolvement? Was the "superior tribunal" of the United Nations given mediating authority, or was it strong-armed into belligerent action? Iraq claimed that unhindered passage into the Gulf was at stake and sovereignty over the islands of Bubiyan and Warba was disputed. Limiting access to the sea was accepted by the Western nations as a just cause for Israel's action in the Suez conflict (1956) and the United States' intervention in Panama (1989). Were not Iraq's concerns the same?⁷⁵

Another dispute between Iraq and Kuwait is the Rumaila oil field, which runs underneath both countries. Iraq claimed that Kuwait was draining the oil from this field and selling it cheaply, thus threatening Iraq's economic future. Some analysts have suggested that such a dispute could have been settled through negotiations rather than war.

If any just cause could be found, it might have provided reason for some negotiated settlement short of war. The principal issues were (1) whether Iraqi access to the gulf was threatened by Kuwaiti control of Bubiyan and Warba, the uninhabited islands jutting out into the Gulf at the Tigris-Euphrates delta; (2) whether Iraq's territorial integrity and national security were threatened by Kuwait's rapid draining of the shared resource of the Rumaila oil field; (3) whether Israeli occupation of the

⁷⁵Vaux, 3-4.

West Bank and the Gaza Strip in defiance of UN resolutions was grounds for an oblique attack on Kuwait which also contributed to exploitation of Palestinian people; and (4) whether demands for impossible reparations payments by Iraq could be dropped and Iraqi withdrawal and freedom from subsequent attack be guaranteed.⁷⁶

Iraq claimed that Kuwait was draining off the Rumaila oil field and selling this oil cheaply, thus lowering oil prices and harming Iraq's economy. Iraq had ended the war with Iran with a \$40 billion debt (their figure). They badly wanted an economic boost.

On July 25, 1990 April Glaspie, the U.S. ambassador to Iraq, met with Saddam Hussein. The Iraqi President explained his concerns about the border dispute. At this time Iraqi troops were already being deployed on the Kuwait border. Ambassador Glaspie stated:

I know you need funds. We understand that and our opinion is that you should have the opportunity to rebuild your country. But we have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait.

I was in the American embassy in Kuwait during the late '60s. The instruction we had during this period was that we should express no opinion on this issue and that the issue is not associated with America. James Baker has directed our official spokesmen to emphasize this instruction. We hope you can solve this problem using any suitable methods via Klibi or via President Mubarak. All that we hope is that these issues are solved quickly.⁷⁷

In fairness to Ambassador Glaspie, I should mention that the transcript of this meeting has never been officially confirmed or denied by the State Department. She did express some concern about the Iraqi troop movements near Kuwait. "Frankly, we can

⁷⁶Vaux, 19.

⁷⁷"The Glaspie Transcript: Saddam Meets the U.S. Ambassador" (25 July 1990) in Sifry and Cerf, 130.

only see that you have deployed massive troops in the south. Normally that would not be any of our business. But when this happens in the context of what you said on your national day . . . it would be reasonable for me to be concerned.”⁷⁸ Some have said that the ambassador’s position looked like a “green light” to Saddam Hussein.

It would seem that, by Miller’s definition, two aspects of just cause were met: “to protect people from unjust attack” and to “restore rights that have been wrongly taken away.” What about the third, the goal of defending a “just political order.” Before the war, most Americans had never heard of this tiny nation. Theodore Draper describes it:

Kuwait is little more than a gigantic oil well. It has been independent only since 1961, before which time it was a British protectorate. It has the population of Houston and an area two-thirds that of Vermont. Thanks to its oil, which provides over ninety-four percent of its revenue, its per capita income is close to a phenomenal \$11,500 a year, with no need for anyone to pay taxes. This cornucopia of oil is ruled by the hereditary al-Sabah dynasty, with close ties to a similar ruling caste in Saudi Arabia.⁷⁹

Kuwait was never a democracy or a nation where human rights flourished. Vaux states that “in the case of the war over Kuwait the pervasive injustice of the Kuwaiti state should long since have precipitated vigorous preventive action by advocates of human rights and humanitarian justice.”⁸⁰ He describes Kuwaiti society:

The modern political history of Kuwait is as ethically questionable as the dismemberment of the Ottoman and Arabic empire which gave it birth decades ago. Ruled over by the al-Sabah family, none of the thousand members of the Emir’s ruling family appeared to perform socially useful work. The work of the society was carried out primarily by Palestinians, Philipinos, and other aliens, none of whom

⁷⁸Ibid, 130.

⁷⁹Theodore Draper, “American Hubris,” in Sifry and Cerf, 45.

⁸⁰Vaux, 9.

had any legal rights. Today only 10-15 percent of the population - males who can trace their lineage to the 1920s - have the right to vote. Even after the establishment of a constitution and parliament in 1962, all MPs were from the royal family. The maids and man-servants were often beaten and kept in hideous conditions. . . . When democratic opposition emerged in the late 1980s, parliament was dissolved and secret police reportedly killed, bombed, gassed, and otherwise silenced the opposition.⁸¹

Add to this statement the fact that the Kuwaiti government at times played up to the Soviet Union and received aid from it, and at other times played up to the United States. One might reasonably ask that, if Kuwait was not a democracy, why did we defend it?

Perhaps the relative justice or injustice of a particular government should not be the primary factor in determining whether or not that government has a right to exist or has a right to be protected against aggression. No people deserve to be brutalized and certainly the President was correct in stating that aggression must be opposed.

Here another issue arises in support of the 'justness' of the war, and that is the brutal and aggressive nature of the Iraqi regime. Those who oppose this war must answer the question, "What would the world, and the Middle East in particular, look like today if we had done nothing?" Saddam Hussein is a brutal dictator in charge of the world's fourth largest army, possessing a supply of chemical and biological weapons. He was, by estimates, two years away from producing a nuclear weapon. One wonders who might have been his next target. An attack on Israel might well have led to a war of massive proportions.

The entire debate over just cause is critical to an honest evaluation of this war.

⁸¹Vaux, 4.

The question of just cause, however, cannot be separated from that of intent. One must ask the question, "What was our real goal in this war?" This leads us to the discussion of the just war criterion of right intent.

B. The Debate Over Right Intention

Peter Jennings, on an ABC news special, stated: "Anyone who says this crisis isn't in a large measure about oil is simply mistaken. There are a great many Arab nations who believe that the United States is out here to get control over the energy resources."⁸² Evaluating the intent of a nation at war is most difficult. It has been, in fact, the most difficult part of this entire project. According to just war theory, a "right intention must actuate the declaration, conduct, and conclusion of war. That intention can only be the restoration or attainment of true peace."⁸³ According to Joseph Allen, intent refers to the motives for action. . . The objective of war should always be a better and more just peace. It should never be killing and destruction as such. 'Right intention' is a way of saying that war is never rightly an end in itself, never justifiably an activity separable from moral examination. When war is justifiable, it is only as a means to peace.⁸⁴

It is a difficult and sometimes painful process to assess an administration's motives for waging war. The intent of war should be related to the cause for war. The intent should also determine the war's goals. So, in looking at the Gulf war while seeking honestly to find our intent, we must also consider the goals set by the

⁸²Peter Jennings, "A Line in the Sand," ABC News, video.

⁸³Vaux, 2.

⁸⁴Allen, 43.

administration. In my opinion, the conduct of the war states clearly that our objective went beyond that of liberating Kuwait. We intended the destruction in large measure of the Iraqi military machine. Some have suggested that our true intent was to unseat Saddam Hussein.

President Bush stated in his August 8th, 1990 speech his objectives in response to the Iraqi invasion. There were four:

First, we seek the immediate unconditional and complete withdrawal of all Iraqi forces from Kuwait. Second, Kuwait's legitimate government must be restored to replace the puppet regime. And third, my administration, as has been the case with every president from President Roosevelt to President Reagan, is committed to the security and stability of the Persian Gulf. And fourth, I am determined to protect the lives of American citizens abroad.⁸⁵

In this speech, the President also stated the importance of oil to the American economy. He said: "Our country now imports nearly half the oil it consumes and could face a major threat to its economic independence. Much of the world is even more dependent upon imported oil and is even more vulnerable to Iraqi threats. . . Let me be clear, the sovereign independence of Saudi Arabia is of vital interest to the United States."⁸⁶

Was this war primarily about oil, as the critics claimed and President Bush so vehemently denied? If so, was our true intent simply to protect American economic interests.

⁸⁵George Bush, "In Defense of Saudi Arabia," Speech of 8 August, 1990 in Sifry and Cerf, 198.

⁸⁶Ibid, 198.

U.S. Presidents have not been silent on the importance of the Persian Gulf. President Franklin D. Roosevelt said in 1943 that "the defense of Saudi Arabia is vital to the defense of the United States."⁸⁷ President Carter, in his State of the Union address in 1980 said: "An attempt by any outside force to gain control of the Persian Gulf region will be regarded as an assault on the vital interests of the United States, and such an assault will be repelled by any means necessary, including military force."⁸⁸ Caspar Weinberger, former Secretary of Defense, said in his Defense Guidance Report (1984-1988): "Whatever the circumstances, we should be prepared to introduce American forces directly into the region should it appear that the security of access to Persian Gulf oil is threatened."⁸⁹

In August, 1990 *Time* magazine quoted a high-placed advisor to President Bush as saying: "In terms of directional clarity this has all been an easy call. Even a dolt understands the principle. We need the oil. It's nice to talk about standing up for freedom, but Kuwait and Saudi Arabia are not exactly democracies...there's nothing to waiver about here... If Kuwait's export was oranges, there would be no issue."⁹⁰

Joe Stork and Martha Wenger are editor and assistant editor of *Middle East Report*. In a January 1991 article they wrote: "All of the subsequent presidential doctrines of intervention - from the Truman Doctrine to the Carter Doctrine - have had

⁸⁷Joe Stork and Martha Wenger, "From Rapid Deployment to Massive Deployment," in Sifry and Cerf, 34.

⁸⁸Ibid, 35.

⁸⁹Ibid, 37.

⁹⁰*Time*, 20 August 1990, 11.

the Persian Gulf and its oil at the center of their sights. In 1958, President Eisenhower actually sent U.S. Marines into Lebanon in response to a revolution in Iraq against the British-installed monarchy there."⁹¹ Stork makes the following conclusion: "President Bush inherited both the apparatus and the mission for U.S. military intervention in the gulf from his predecessors, but the circumstances of this present intervention and its scale were hardly anticipated . . . There is no evidence that Iraq planned to invade Saudi Arabia. The Bush administration intervened militarily in order to offset Iraq's ability to dominate the Gulf politically following a successful and unchallenged conquest of Kuwait."⁹²

Whether or not Saddam Hussein planned to invade Saudi Arabia is an open question. The Department of Defense report to Congress on the war stated: "Whether Saddam actually planned to invade Saudi Arabia is unknown, but the ominous presence of overwhelming military force at the Kingdom's northern border, coupled with the fresh evidence of his willingness to attack his neighbors, constituted a threat to the vital interests of both Saudi Arabia and the United States."⁹³ The report describes the massive number of Iraqi troops in Kuwait.

Iraqi forces, consolidating in Kuwait, appeared to be massing for possible further offensive operations into Saudi Arabia. By 6 August, the day before the first US force deployments, 11 Iraqi divisions were in or deploying to Kuwait. Far exceeding occupation requirements, Iraq had more than enough forces to launch an

⁹¹Stork and Wenger, in Sifry and Cerf, 34.

⁹²Ibid, 38.

⁹³U.S. Department of Defense, *Conduct of the Persian Gulf War: Final Report to Congress* (Washington, D.C.: Department of Defense, 1992), 19-20.

immediate invasion of Saudi Arabia's oil-rich Eastern Province. . . While U.S. resolve had been demonstrated (by deployment of forces), offering a credible deterrent to an Iraqi invasion of Saudi Arabia and bolstering Coalition forces, the ability of coalition forces to defeat a determined Iraqi attack into Saudi Arabia remained questionable... Capable of putting up a stiff fight, these ground units nonetheless lacked the combat power to defeat an Iraqi attack with forces estimated at three armored and two mechanized divisions in the initial assault.⁹⁴

Kuwait, Oil, and the United States

Daniel Yergin is the author of *The Prize: The Epic Quest for Oil, Money, and Power*. In the prologue to his book, he made the following assertion about the importance of Middle East oil:

At the beginning of the 1990s - almost eighty years after Churchill made the commitment to petroleum, after two world wars and a long Cold War, and in what was supposed to be the beginning of a new, more peaceful year - oil once again became the focus of global conflict. On August 2, 1990, yet another of the century's dictators, Saddam Hussein of Iraq, invaded the neighboring country of Kuwait. His goal was not only conquest of a sovereign state, but also the capture of its riches. The prize was enormous. If successful, Iraq would become the world's leading oil power, and it would dominate both the Arab world and the Persian Gulf, where the bulk of the planet's oil reserves are concentrated. Its new strength and wealth and control of oil would force the rest of the world to pay court to the ambitions of Saddam Hussein. In short, mastery itself was once more the prize. . .

Over the previous several years, it had become almost fashionable to say that oil was no longer important. Indeed, in the spring of 1990, just a few months before the Iraqi invasion, the senior officers of America's Central Command, which would be the linchpin of the U.S. mobilization, found themselves lectured to the effect that oil had lost its strategic significance. But the invasion of Kuwait stripped away the illusion. At the end of the twentieth century, oil was still central to security, prosperity, and the very nature of civilization.⁹⁵

Yergin, an energy expert, asserts that "until some alternative source of energy is found, oil will still have far-reaching effects on the global economy; major price

⁹⁴US Department of Defense, 21, 37.

⁹⁵Daniel Yergin, "Oil: The Strategic Prize" in Sifry and Cerf, 22-23.

movements can fuel economic growth, or contrarily, drive inflation and kick off recessions."⁹⁶ He adds that the United States, as the world's leading consumer of oil, must import about one half of its supply, placing it in a "precarious position for a great power."⁹⁷ He spells out the importance of a free-flowing supply of oil for our economy:

Today, we are so dependent on oil, and oil is so embedded in our daily doings, that we hardly stop to comprehend its pervasive significance. It is oil that makes possible where we live, how we live, how we commute to work, how we travel - even where we conduct our courtships. It is the lifeblood of suburban communities. Oil (and natural gas) are the essential components in the fertilizer on which world agriculture depends; oil makes it possible to transport food to the totally non-self-sufficient megacities of the world. Oil also provides the plastics and chemicals that are the bricks and mortar of contemporary civilization, a civilization that would collapse if the world's oil wells suddenly went dry.⁹⁸

Some experts have acknowledged that while oil is critical to the U.S. economy, the specific importance of Kuwaiti and Iraqi oil has been exaggerated. Doug Bandow, a fellow of the Cato Institute, asked:

Could Iraq gain a stranglehold on the world's oil supplies? Before the current crisis, Iraq, Kuwait and Saudi Arabia together accounted for about 15.7 percent of global production. Assuming Mr. Hussein controlled that production and the output of the various Gulf sheikhdoms, his share of global output would rise to about 21.5 percent.

Now, if Mr. Hussein were to conquer the Gulf and hold all its oil off the market, he could undoubtedly trigger large price increases. But this would defeat the purpose of his conquests: to produce more oil revenue. For, if he stopped production, the beneficiaries would be the other oil producers.

As the top producer in the world, he would maximize his revenues by marginally reducing production and trying to persuade other suppliers to follow suit. The result would be a higher oil bill for the U.S., but nothing like the cost of today's military operation.

⁹⁶Ibid, 24.

⁹⁷Ibid, 24.

⁹⁸Ibid, 25.

Iraq hegemony in the Persian Gulf would, of course, leave President Hussein in control of half the world's reserves. But this number is highly misleading. Total proven crude reserves in 1985 were 700 billion barrels. Five years and roughly 100 billion barrels of production later, proven reserves had expanded to one trillion barrels.⁹⁹

Bandow goes on to explain that huge oil reserves exist in the United States off the continental shelf, and in the Arctic region. He adds that "some 300 billion barrels of oil, 10 times our proven reserves and more than proven Saudi reserves, lie in beds of shale under the United States." He concludes: "Thus, even if Saddam Hussein conquered the Gulf and hung onto his empire into the next century, he would never have the sort of control over oil that the widely cited fifty percent figure implies. While he is a dangerous man, the case for confronting him is not the threat to our oil supply."¹⁰⁰

Theodore Draper, a fellow of the American Academy of Arts and Sciences, agrees with this basic estimate of the importance of Gulf oil.

Gulf oil is useful but hardly a matter of life or death now. It is least vital to the United States, which gets only four percent of its oil through the Strait of Hormuz at the entrance to the Persian Gulf. But even if the Strait of Hormuz were closed, the cutback in oil shipments could be readily compensated for by another of our friends in the area - none other than Saudi Arabia.¹⁰¹

Another Gulf expert, Mazher Hameed, stated:

A cut-off of Gulf oil that did not include Saudi production would be ineffective, because, due to the enormous Saudi production capacity, that country alone could match most current Gulf petroleum exports. More important, Saudi Arabia is the one Arab Gulf producer that has alternative routes (i.e. non-Gulf routes) for the export of petroleum. Indeed, one of the Saudi pipelines also carries

⁹⁹Doug Bandow, "The Myth of Iraq's Oil Stranglehold," in Sifry and Cerf, 219.

¹⁰⁰Ibid, 219-220.

¹⁰¹Draper in Sifry and Cerf, 50.

Iraqi crude.¹⁰²

From these statements it is clear that the United States is a leading consumer of oil, and that oil is vital to our economy; however, we are not as dependent on either Iraqi or Kuwaiti oil as many have thought. In July 1990, the U.S. imported 275 million barrels of oil. Thirty-two percent came from Arab OPEC nations (15% from Saudi Arabia, 13% from Iraq), twenty-four percent from non-Arab OPEC nations, and forty-four percent from non-OPEC nations.¹⁰³ If we successfully defended Saudi Arabia (and we did), our supply and price of oil was secure.

Is it possible that the Bush administration overestimated the importance of Kuwait's oil? Is it possible that, as a national policy, we thought it simpler or cheaper to secure access to Middle East oil by war rather than develop our own national resources? As a nation, we are dependent on foreign oil by default, having failed consistently to develop a national energy policy that would free us from that dependency.

Another piece in the Gulf puzzle was the military power of Saddam Hussein. It was massive. John Leo, in an article for *U.S. News and World Report*, brings to light the complexity of evaluating this war.

Selective indignation seems to be the order of the day among many antiwar demonstrators. The Boston Globe reported that 'almost none of the speakers' mentioned the invasion of Kuwait or attacks on Israel, presumably because that sort of thing interferes with the theory that this war is about oil prices. 'No blood for oil' is so simple, so uncluttered by thought or comprehension of real politics, that many people obviously do not intend to give it up. Like a hovercraft, it never touches the

¹⁰²Ibid, 50.

¹⁰³*Time*, 25 February 1991.

real ground. The threat to the world by a barbarian with a million-man army and nuclear weapons in his future.¹⁰⁴

The Department of Defense report to Congress described the extent of the Iraqi military forces:

At the time of the invasion of Kuwait, the Iraqi armed forces were, by any measure, a formidable and battle-tested fighting force. Iraq began the crisis with one of the world's larger armies, equipped with great numbers of tanks, armored personnel carriers and artillery, some of which were state-of-the-art models. It had a sizable air force with many top-line fighters and fighter-bombers and a modern air defense command and control system.

Iraqi ground forces were the largest in the Persian Gulf at the time of the invasion of Kuwait. They included the Republican guard Forces Command, the regular Army, and the Popular Army. Iraqi ground forces had more than 5,000 main battle tanks, 5,000 armored infantry vehicles, and 3,000 artillery pieces larger than 100mm.¹⁰⁵

The report stated that Iraqi also had a substantial supply of chemical and biological weapons.

By 1990, Iraq had the largest chemical agent production capability in the Third World, annually producing thousands of tons of blister agent mustard and nerve agents Sarin and GF. . Iraqi delivery means, in addition to missile warheads, included aerial bombs, artillery shells, rockets, and aircraft-mounted spray tanks. During the war with Iran, Saddam exhibited the willingness to use CW agents not only against the Iranians, but also his own Kurdish population. . Its advanced and aggressive biological warfare program was the most extensive in the Arab world. . Large scale production of these agents began in 1989 at four facilities near Baghdad.¹⁰⁶

¹⁰⁴ John Leo, "Protesting a Complex War," *US News and World Report*, 4 February 1991, 20.

¹⁰⁵ US Department of Defense, 9.

¹⁰⁶ US Department of Defense, 15.

Saddam also had an active nuclear weapons program. Observers said in 1990 that he might have had a nuclear weapon within six months to two years. The report to Congress states:

By 1990, Saddam had made the development of a nuclear device a high priority project. The Iraqi nuclear research program had reached the initial stages of producing enriched uranium. Iraqi scientists were involved in the design, engineering and nonnuclear testing required to ensure the viability of a nuclear device. . . Iraq did not have a nuclear device at the time of its invasion of Kuwait, although it may have been able to assemble one or two crude nuclear explosive devices within six months to one year, using the uranium in the French- and Soviet-supplied reactor fuel.¹⁰⁷

President Bush, in his August 1990 speech, expressed U.S. concern for the security and stability of the Middle East. What would the Middle East have looked like in 1992 if Iraq had developed nuclear weapons? What would have been the result if Iraq had attacked Israel with biological or nuclear weapons?

Why did we intervene in this crisis? My careful review of the President's statements has not answered that question. Various reasons were given at various times, including the defense of Saudi Arabia, the liberation of Kuwait, defense of our vital interests, repelling naked aggression and stopping the ruthless power of Saddam Hussein.

The question of intent is one of the disturbing facets of this war. Why, for example, did the U.S. view Iraq as a threat? Why did we feel compelled to come to the aid of Kuwait? On the surface, it would seem that we would be no more likely to aid Kuwait than to aid Afghanistan when they were invaded by the Soviets, or to aid Nepal when invaded by the Chinese. I think that there is no question that our primary motive

¹⁰⁷Ibid, 15-16.

was the protecting of our vital interests, namely our supply of oil. It is tragic that our dependence on foreign oil is the direct result of our failure as a nation to properly develop our own natural resources. It may also be that we overestimated the importance of Iraqi and Kuwaiti oil in the overall scheme of things.

Can a nation justly defend its national interests? In my mind, it is impossible to justify the killing of large numbers of Iraqis (soldiers and civilians) in order to protect the flow of oil into our nation at reasonable prices, particularly when those resources are available within our own borders. Further, it is impossible to justify, on the grounds of vital national interests, the brutal attacks that were conducted against the Iraqi people themselves.

C. The Debate Over Legitimate Authority

The criterion of proper authority was originally intended to prevent private individuals for waging war against one another. This criterion assumes that the designated leader who makes decisions for the people under his/her authority will carefully consider all of the criteria before deciding to go to war. Augustine and Aquinas both laid considerable importance on the governing authority as God's representative whom the people had an obligation to obey. Some just war thinkers today would argue that the burden of proof for the 'rightness' of a war rests on those who would declare war and that our government has an obligation to demonstrate to the American public the validity of a war before expecting their support.

The criterion of proper authority was rightly debated during the war. President

Bush initially ordered troops into Saudi Arabia in defensive positions only on August 8, 1990. By November he had ordered the buildup of forces to prepare for possible offensive military action. This troubled those who argued that only Congress, according to our Constitution, had the authority to declare war.

Congress did authorize the use of force in a joint congressional resolution on January 12, 1991. The vote in the Senate was 52-47; in the House it was 250-183. The resolution, entitled "Authorization for Use of Military Force" said: "The President is authorized, subject to subsection (b), to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 667, 669, 670, 674, and 677."¹⁰⁸ The resolution cited the illegal occupation of Kuwait and Iraq's use of "nuclear weapons (that) pose a grave threat to world peace."

The United Nations Security Council approved the use of force in Resolution 678, passed on November 29, 1990. The resolution authorized "member states co-operating with the Government of Kuwait, unless Iraq on or before 15 January 1991 fully implements, as set forth in paragraph one above, the foregoing resolutions (on Iraq and Kuwait), to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area."¹⁰⁹ For the information of the reader, Resolution 660 condemned the Iraqi invasion of Kuwait and demanded that "Iraq withdraw immediately and unconditionally all its

¹⁰⁸"Authorization for Use of Military Force" in Sifry and Cerf, 287-289.

¹⁰⁹U.N. Security Council Resolution 678, in Sifry and Cerf, 155-156.

forces to the positions in which they were located on 1 August 1990.”¹¹⁰

This war violated the criterion of proper authority. President Bush had effectively committed U.S. forces to offensive action in November, 1990 before Congress had authorized the use of force. Although the President had the support of the majority of the American people in this action, only Congress has authority under our Constitution to declare war.

D. The Debate Over Last Resort

The criterion of last resort was another hotly debated item before, during and after the war. After the invasion, the United Nations imposed harsh economic sanctions against Iraq. President Bush initially had faith that these sanctions would work. A number of Gulf experts also testified that, given time, economic restrictions would force Iraq to leave Kuwait. The criterion of last resort was one of the specific issues that was raised by church leaders before the war began.

Admiral William Crowe, Jr. was chairman of the Joint Chiefs of Staff from 1985-1989. He testified before the Senate Armed Services Committee on November 28, 1990. Among other points, he urged the U.S. to use restraint and to try economic sanctions for at least a year.

I firmly believe that Saddam Hussein must be pushed out of Kuwait. He must leave Kuwait. At the same time, given the larger context, I judge it highly desirable to achieve this goal in a peaceful fashion, if that is possible. In other words, I would argue that we should give sanctions a fair chance before we discard them. I personally believe they will bring him to his knees ultimately, but I would be the first to admit that is a speculative judgment.

If, in fact, the sanctions will work in twelve to eighteen months instead of six

¹¹⁰U.N. Security Council Resolution 660, in Sifry and Cerf, 137.

months, a tradeoff of avoiding war, with its attendant sacrifices and uncertainties, would in my estimations be more than worth it . . .

In closing, I would make a few observations that perhaps we should keep in mind as we approach this process. Using economic pressure may prove protracted, but if it could avoid hostilities or casualties, those also are highly desirable ends. As a matter of fact, I consider them also national interests. I seldom hear them referred to in that fashion.

It is curious that just as our patience in Western Europe has paid off and furnished us the most graphic example in our history of how staunchness is sometimes the better course in dealing with thorny international problems, a few armchair strategists are counseling a near-term attack on Iraq. It is worth remembering that in the 1950s and 1960s, individuals were similarly advising an attack on the USSR. Would not that have been great? . . .

It would be a sad commentary if Saddam Hussein, a two-bit tyrant who sits on seventeen million people and possesses a gross national product of \$40 billion, proved to be more patient than the United States, the world's most affluent and powerful nation.¹¹¹

Kimberly Elliott, Gary Hugbauer and Jeffrey Schott are affiliated with the Institute for International Economics. They did a detailed study of the history of economic sanctions and their effectiveness. They came to the conclusion that economic sanctions against Iraq had a good chance of achieving their goal, but that they needed to remain in effect for at least a year before the results would be seen.

But sanctions can work - and under circumstances far less favorable than those present in the confrontation with Iraq. In fact, a review of 115 cases since 1914 shows that success was achieved 40 times when economic sanctions were threatened or imposed against individual countries. Moreover, the current U.N. sanctions are by far the strongest and most complete ever imposed against any country by other nations. These comparisons strongly suggest that, given time, the U.N. economic boycott can achieve by peaceful means what Bush and his advisers say can only be won by force. . . . The current boycott covers virtually one hundred percent of Iraq's trade. This is three to four times greater coverage than the average in all previous successful sanctions cases. Beyond that, Iraq, geographically isolated and dependent on oil for ninety percent of its export revenue, is far more

¹¹¹Admiral William J. Crowe, Jr., "Give Sanctions a Chance," Testimony Before the Senate Armed Services Committee, 28 November, 1990, in Sifry and Cerf, 234-237.

vulnerable to economic coercion than target nations in other sanctions actions.

Because of all these factors, it is likely that if the embargo persists, Iraqi output will shrink by about half from its 1988 total of \$45 billion. This is a decline of gross national product twenty times greater than the average impact in other successful sanction episodes. Meanwhile, the economic costs to the sanctioning countries of suspended trade with Iraq are being addressed in unusual ways and substantially mitigated. These efforts give the current sanctions a cohesion and possible longevity never seen outside the setting of global conflicts. . .

Such examples (of other sanctions) argue strongly for the likely success of the sanctions against Iraq. Secretary of Defense Richard B. Cheney himself said the embargo 'clearly' has been effective 'in closing off the flow of spare parts and military supplies,' and the chairman of the Joint Chiefs of Staff, General Colin Powell, conceded that sanctions would have a 'debilitating effect' on Iraq's military capability. Recently, CIA Director William H. Webster told the House Armed Services Committee that by next spring, 'probably only energy-related and some military industries will be fully functioning.' . . .

The sanctions against Iraq were imposed so swiftly, decisively, and comprehensively that together with a credible military threat, there is a high probability they can contribute to an Iraqi withdrawal and the restoration of an independent government in Kuwait. . .

However, even the tightest sanctions take time to work. Evidence from previous cases suggests that it would be unfair to claim the embargo of Iraq has failed until at least a year has passed. Though there are costs to waiting, some of them can be ameliorated, as with the president's economic action plan. If after a year or two the sanctions are judged to be inadequate, the military option will still be there and Saddam's forces will be weakened by lack of supplies. The key question is whether the price of patience would be higher than the economic and human cost of going to war soon.¹¹²

The debate over last resort went beyond the basic question of whether or not sanctions would work. Some argued against sanctions because they constitute a type of siege, warfare against a civilian populace. They maintain that Saddam Hussein would last indefinitely and that the real effects would be felt by those least intended, the Iraqi people. In retrospect, it is clear that the sanctions certainly hurt the Iraqi people;

¹¹²Kimberly Elliott, Gary Hufbauer and Jeffrey Schott, "The Big Squeeze: Why the Sanctions On Iraq Will Work" in Sifry and Cerf, 255-259.

however, the results of war were far worse. The damage done to the Iraqi infrastructure by Coalition bombing was extensive.

The sanctions might have worked if for no other reason than the fact that they degraded Saddam's military capability. Without funds and spare parts for military equipment, and with his troops facing severe discouragement, his military preparedness would have been hampered. This, however, would have taken time, as Admiral Crowe and others testified.

Last resort in this case is a complex issue. Would economic sanctions have worked without a viable military threat? How long could the Coalition stay together? How long could the military threat be maintained? How long could the Coalition maintain a combat-ready military force in the Saudi desert? Michael Walzer, a professor of social science at the Institute for Advanced Study at Princeton, comments:

War as a 'last resort' is an endlessly receding possibility, invoked mostly by people who would prefer never to resist aggression with force. After all, there is always something else to do, another diplomatic note, another meeting. In the present case, waiting out the embargo is a permanent possibility: When does lastness come? In fact, however, politics and war commonly work on timetables, which are often interconnected. Our embargo of Iraq is not a conventional siege, which goes on and on until mass starvation forces surrender. We are committed to letting food and medical supplies through well before people start dying. But Saddam can let this capacity run down indefinitely so long as he is sure that he won't be attacked. Hence the effectiveness of the embargo depends on a credible threat to fight, and this threat (for logistical, not moral reasons) can only be sustained for a time. At some point, Saddam must yield or we must fight. If he doesn't yield and we don't fight, the victory will be his; there won't be a further 'last resort.' We can postpone that moment of decision beyond January 14; but some timetable there must be.¹¹³

Several authors have argued that the U.S. did not take seriously enough several

¹¹³Michael Walzer, "A Just War?" in Sifry and Cerf, 304.

offers from Saddam Hussein to resolve the crisis; however, all of the offers of which I am aware were tied to some condition. The United Nations had clearly called for the unconditional withdrawal of Iraq from Kuwait. Iraq spent the months from August 1990 to January 1991 preparing massive defensive positions in Kuwait. Their military preparedness in January indicated that Saddam had no intention of voluntarily withdrawing from that country.

It is my judgment that this war violated the criterion of last resort. If there was any chance that economic sanctions would have worked, and there was, we should have tried them. President Bush decided that such sanctions were not working in November, 1990, only three months after they had been put into place. Experts had said that sanctions would require at least a year to take effect. Whether or not sanctions would have worked over a year's time, we will never know. If they had, the lives of thousands of Iraqis would have been spared. That fact alone only adds to the tragic nature of this war.

E. The Debate Over the Conduct of the War

Just war thinking naturally falls into two headings: those for justifiable resort to war (*jus ad bellum*) and those pertaining to the conduct of the war (*jus in bello*). In the category of just conduct, there are two generally recognized criteria: the principle of discrimination and the principle of proportionality. They are closely related in application.

The principle of discrimination is an attempt to limit attacks in war to only those

who are directly a threat. It defines and distinguishes between combatants who are just targets of attack and noncombatants, who are not. Allen defines combatants as those who are close participants in such military acts.

To put it most simply, combatants are military personnel and their commanders (military or civilian) who are not prisoners. . . A combatant is someone whose role is either carrying out a military act, such as firing a gun, or cooperating closely in the act, such as driving the armed vehicle from which others are firing the gun or training to do actions like those. A noncombatant is anyone who is not closely cooperating in military acts as such.¹¹⁴

According to this principle, it is immoral in war to intentionally attack a noncombatant. This means, for example, that the bombing of Hiroshima or the fire-bombing of Tokyo was an immoral act. Paul Ramsey strongly supports the importance of this distinction in Christian thinking.

In determining justifiable and unjustifiable warfare, the work of love will be to return ever again to the prohibition of the direct killing of any person not directly or closely cooperating in the force which should be resisted. This it must say, if ever it justified resisting by violence anyone for whom Christ died. . . He who has gone so far as to justify, for the sake of justice and the public order, wounding anyone whom by his wounds Christ died to save, will find no way of escape from the moral limitation upon the conduct of war which requires that military force be mounted against the attacking force and not directly against whole populations.¹¹⁵

The second principle under *jus in bello* is that of proportionality. It says in essence that one must not use more force than necessary to accomplish a military objective. This, of course, requires a judgment on the part of those conducting the war. Allen defines it thus:

¹¹⁴Allen, 44.

¹¹⁵Ramsey, xx.

The idea of proportionality is reflected in the strategic principle of the economy of force, which calls for the most effective use of one's available forces. On the other hand, the economy of force bids one use the level of force that is required to bring about a justifiable objective. On the other, and equally as important, it rules out using more force than necessary, by applying such tactics as outflanking movements, surprise, and change of the direction of attack. To express a right intention, proportionality requires more than merely achieving one's objectives at the lowest cost in lives and resources for one's side. Rather proportionality calls for the least destruction possible for all concerned.¹¹⁶

Political and military leaders face a tremendous responsibility when planning a strategy for war. It might be difficult to imagine a military commander placing his (or her) own troops at risk in order to ensure the safety of noncombatants. Yet this is what the principle of proportionality requires.

There has been much debate about the conduct of the Gulf war. The official U.S. position is that we carefully respected both discrimination and proportionality, alleging that "smart" weapons are highly accurate and that U.S. intelligence enabled us to identify targets accurately. Observers such as Ramsey Clark have questioned the accuracy of this position. Clark went so far as to charge President Bush and U.S. military leaders with war crimes. The following pages will acquaint the reader with the basic arguments on both sides. In an attempt to draw conclusions about the conduct of this war, one must ask, "Whose story do I believe?"

James Turner Johnson, in an article written during the war, gives the common defense in regard to its conduct:

There is a vast difference, in terms of this moral principle (discrimination), between the actions thus far of the coalition air forces and the actions of Iraq. The

¹¹⁶Allen, 46-47.

former have been directed at military targets and have employed weapons that by their nature are extremely accurate. By contrast, Iraq's Scud missile attacks have been direct, intentional attempt to harm the noncombatant inhabitants of Israeli and Saudi cities.¹¹⁷

This is the view that was presented to the American public via the media.

Consider, for example, this February 1991 article from *Time* magazine.

American officers say flatly they do not target civilian buildings. This is something they have stressed since the war began, and the overall allied commander, General H. Norman Schwarzkopf, contends that his pilots take additional risks to avoid hitting civilians. . . Weeks before the war began, the U.S. Central Command had compiled a list of targets. At the tops, along with command-and-control facilities, were military production centers, power and water supplies, and bridges and roads leading south to Kuwait. Most of those have been destroyed.¹¹⁸

Where did the U.S. media get their war information? They got it primarily from military briefers, since very few American reporters were actually in Iraq during the war. As we will see, the military's own documents call into serious question whether or not we properly observed the two principles of discrimination and proportionality in the conduct of the Gulf war.

In 1992 the Department of Defense published a *Final Report to Congress: Conduct of the Persian Gulf War*. This detailed report provides much information relevant to this discussion. I will quote from it extensively. To begin, it is worth taking a look at the nature of the threat that U.S. and coalition forces were facing in Iraq's military power.

At the time of the invasion of Kuwait, the Iraqi armed forces were, by any

¹¹⁷James Turner Johnson, "Just-War Tradition and the War in the Gulf," in *War in the Twentieth Century*, Richard Miller, ed. (Louisville: John Knox Press, 1992), 453.

¹¹⁸*Time*, 25 February 1991, 27.

measure, a formidable and battle-tested fighting force. Iraq began the crisis with one of the world's larger armies, equipped with great numbers of tanks, armored personnel carrier and artillery, some of which were state-of-the-art models. It had a sizable air force with many top-line fighters and fighter-bombers and a modern air defense command and control system.

Iraqi ground forces were the largest in the Persian Gulf at the time of the invasion of Kuwait. They included the Republican guard Forces Command, the regular Army, and the Popular Army. Iraqi ground forces had more than 5,000 main battle tanks, 5,000 armored infantry vehicles, and 3,000 artillery pieces larger than 100mm.¹¹⁹

These forces were well dug in and prepared to fight. The following descriptions will give the reader a picture of what coalition forces when facing when attempting to drive the Iraqi forces out of Kuwait. No one expected it to be easy. The report continues:

By mid-October, intelligence estimates indicated Saddam Hussein had more than 435,000 troops on the ground in Kuwait, dug in and arrayed in mutually supporting defenses in depth. These forces continued to grow, and were believed to have reached more than 500,000 by January. At least two defensive belts interspersed with formidable triangular fortifications had been established along the Saudi border with Kuwait. These defensive belts consisted of minefields and oil-filled fire trenches, covered by interlocking fields of fire from tanks, artillery, and machine gun positions. . . Equally strong positions were constructed along the sea coast, incorporating naval and land mines.¹²⁰

Iraq also increased its forces in the KTO. On 19 November, Saddam Hussein announced he was reinforcing with an additional 250,000 men. . . By early January, the Iraqi KTO order of battle had reached the equivalent of 43 divisions organized into four corps and the RGFC. . . CENTCOM estimated the forces had more than 4500 tanks, 2800 armored personnel carriers, and 3200 artillery pieces. Iraq could deploy no more meaningful combat power to the KTO."¹²¹

¹¹⁹US Department of Defense, 9.

¹²⁰Ibid, 71-72.

¹²¹Ibid, 78.

The coalition forces were given a mission statement containing the following goals: to neutralize Iraqi National Command Authority; to eject Iraqi forces from Kuwait; to destroy the Republican Guard; to destroy Iraq's ballistic missile and NBC (nuclear, biological, chemical) capability; and to assist in the restoration of the legitimate government of Kuwait.¹²² In order to accomplish those objectives, CENTCOM (Central Command), in an Operations Order dated 17 January 1991, set the following goals: to attack Iraqi political-military leadership and C2 (command and control); gain and maintain air superiority; sever Iraqi supply lines; destroy known nuclear, biological and chemical production, storage and delivery capabilities; destroy Republican Guard forces in the KTO (Kuwaiti Theater of Operations); liberate Kuwait City.¹²³

President Bush had told military planners that he didn't want "another Vietnam." He directed them to make this a short war with a minimum of U.S. casualties. The staff of *U.S. News and World Report*, in their book *Triumph Without Victory*, reported the following about the President's concerns:

According to several advisers who spoke with the President during the early days of the crisis, the President's worst nightmare was of American troops being slaughtered while landing in the desert, with Iraqi forces unleashing chemical weapons on Saudi runways and in Saudi ports just as the troops were disembarking. Another version of his nightmare, these officials said, was of American soldiers being returned home in body bags, their bodies and faces horribly disfigured by the same kind of chemical burns suffered by Iraqi Kurds after Saddam ordered them gassed toward the end of the Iran-Iraq war. Bush had told friends he could vividly

¹²²Ibid, 73.

¹²³Ibid, 74.

recall the news photographs of those gruesome scenes.¹²⁴

With concerns like these on his mind, it is not at all surprising that President Bush directed military planners to avoid “another Vietnam”. The air war would be critical to that plan. As the report states, the “air campaign, which extended throughout the 43 days of Operation Desert Storm, won air supremacy and met its key objectives.”¹²⁵ Those objectives consisted of twelve sets of targets, which included “leadership command facilities; crucial aspects of electricity production facilities that power military and military-related industrial systems; strategic IADS (intercept air defense systems), including radar sites, SAMs (surface to air missiles) and IADS control centers; air forces and airfields; known NBC (nuclear, biological, chemical) research, production and storage facilities; military production and storage sites; Scud missiles and launchers, production and storage facilities; oil refining and distribution facilities; naval forces and port facilities; railroads and bridges connecting military forces to means of support; Army units.”¹²⁶

The Defense Department report explains why these targets were selected. Each was related in some way to supporting the Iraqi military. For example, on attacking electrical production, the report states that “disrupting the electrical supply to key Iraqi facilities degraded a wide variety of crucial capabilities, from radar sites that warned of

¹²⁴U.S. News & World Report, *Triumph Without Victory: The Unreported History of the Persian Gulf War* (New York: Random House, 1992), 48.

¹²⁵US Department of Defense, 90.

¹²⁶*Ibid*, 95.

Coalition air strikes, to the refrigeration used to preserve biological weapons, to nuclear weapons production facilities. To do this effectively required the disruption of virtually the entire Iraqi electric grid, to prevent the rerouting of power around damaged nodes.”¹²⁷

The report confirms that “attacks on Iraqi power facilities shut down their effective operation and eventually collapsed the national power grid. . . The early disruption of electrical power undoubtedly helped keep Coalition casualties low.”¹²⁸

The report acknowledges that basically all aspects of the Iraqi communications system were targeted.

To challenge his C3 (command, control and communications) the Coalition bombed microwave relay towers, telephone exchanges, switching rooms, fiber optic nodes, and bridges that carried coaxial communications cables. These national communications could be reestablished and so, required persistent restrikes. . . More than half of Iraq’s military landline communications passed through major switching facilities in Baghdad. Civil TV and radio facilities could be used easily for C3 backup for military purposes. The Saddam Hussein regime also controlled TV and radio and used them as the principal media for Iraqi propaganda. Thus, these installations also were struck.¹²⁹

One might question whether oil refining and storage facilities are a legitimate military target. The report states that they are, and explains why: “Fuel and lubricants are the lifeblood of a major industrial and military power. . . Coalition partners targeted Iraq’s ability to produce refined oil products that had immediate military use, instead of its long-term crude oil production capability.”¹³⁰ The report concludes that “reducing

¹²⁷Ibid, 96.

¹²⁸Ibid, 150.

¹²⁹Ibid, 96.

¹³⁰Ibid, 97-98.

Iraq's ability to refine and distribute finished oil products helped reduce Iraqi military forces' mobility. Aircraft carried out about 500 sorties against Iraqi oil facilities, dropping about 1200 tons of bombs to shut down the national refining and distribution system. . . The air campaign damaged approximately 80 percent of Iraq's refining capacity . . . "131

Most bridges in Iraq were also considered targets. "Most major railroad and highway bridges in Iraq served routes that ran between Baghdad and Al-Basrah. Iraqi forces in the KTO were almost totally dependent for their logistical support on the lines of communication that crossed these bridges, making them lucrative targets."132 As a result, "about three fourths of the bridges between central Iraq and the KTO were severely damaged or destroyed."133

The Defense Department report admits that the damage done inside of Iraq was extensive, but places the responsibility on the shoulders of the Iraqi government for not taking proper precautions to protect its people and for deliberately using civilians and civilian buildings as shields.

In an effort to minimize collateral civilian casualties, a substantial responsibility for protection of the civilian population rests with the party controlling the civilian population. . . The government of Iraq elected not to take routine air-raid precautions to protect its civilian population. . . Civilians were not evacuated in any significant numbers from Baghdad, nor were they removed from proximity to legitimate military targets. There were air raid shelters for less than one percent of

¹³¹Ibid, 157.

¹³²Ibid, 98.

¹³³Ibid, 158.

the civilian population of Baghdad.¹³⁴

The report also claims that the coalition forces took extra care to minimize civilian casualties:

A key principle underlying the Coalition strategy was the need to minimize casualties and damage, both to the Coalition and to Iraqi civilians. It was recognized at the beginning that this campaign would cause some unavoidable hardships for the Iraqi people. It was impossible, for example, to shut down the electrical power supply for Iraqi C2 facilities or CW factories, yet leave untouched the electricity supply to the general populace. Coalition targeting policy and aircrews made every effort to minimize civilian casualties and collateral damage. Because of these restrictive policies, only PGMs (precision guided munitions) were used to destroy key targets in downtown Baghdad in order to avoid damaging adjacent civilian buildings.¹³⁵

Reports on the actual amount of damage inside of Iraq vary greatly, but one can discern from the preceding statements that basically the entire Iraqi infrastructure was targeted. One could imagine what life in a modern city would be like without electricity, water, communications and transportation. Several reports acknowledge the effects of this widespread damage.

Postwar examination of the destruction wrought by the Stealth fighters in central Baghdad confirmed that so-called collateral damage - damage to structures in the immediate vicinity of bombing targets - was remarkably light. A team of reporters sent to Baghdad after the war published an account of their visit in *The Nation* magazine. They concluded that the injuries from such damage were remarkably light. At the worst, reporters found, the bombing might have killed 3,000 civilians, but the number probably was much smaller.

There has nevertheless been some thoughtful criticism of target selection in Baghdad, both from inside the Pentagon and from without. Analysts concluded that at the end of the war on February 28, only 15 percent of Iraq's electrical-delivery grid remained functional; by contrast, at the conclusion of the Second World War, Germany had lost only 15 percent of its electrical grid. Some civilian engineering

¹³⁴Ibid, 614-615.

¹³⁵Ibid, 98.

analysts have estimated that the war cost the Iraqi people some fifteen to twenty years of industrial and infrastructural development. More immediately, it left the Iraqi people susceptible to the rapid spread of cholera, typhoid and other diseases.¹³⁶

Greenpeace has estimated that between 72,500 and 93,000 Iraqi civilians were killed during the war. Other estimates yield much lower figures, possibly between 11,000 and 24,000. While there is a wide disparity in these numbers, and we will never know with certainty whether they are accurate, there is no doubt that many Iraqi civilians were killed both directly and indirectly as a result of the bombing. David Campbell notes:

According to Greenpeace, only 3,000 of the (93,000) civilian deaths occurred during the air war, the remainder being a consequence (in the postwar period of March to December 1991) of the damages inflicted upon the civilian infrastructure of Iraq. This sequence of events not only challenges the fragile distinction between civilian and military targets - upon which the Pentagon placed so much emphasis - but also renders questionable the notion that a war ends when the fighting stops. Greenpeace's estimate is supported by the Middle East Watch report entitled "Needless Deaths." In addition, Middle East Watch concludes that the attacks against civilian infrastructure, including electricity, water, and sewerage facilities, contravened the 1977 Protocol 1 of the 1949 Geneva Accords.¹³⁷

A United Nations report from March, 1991 described the damage within Iraq as "near apocalyptic." It said:

With the Iraqi summer temperature of 50 degrees Celsius only weeks away, there is very little time left to avert a major human tragedy in Iraq. It is unmistakable that the Iraqi people may soon face a further imminent catastrophe which could include epidemic and famine, if massive life-supporting needs are not rapidly met. The recent conflict has wrought near-apocalyptic results upon the

¹³⁶U.S. News and World Report, 410.

¹³⁷David Campbell, *Politics Without Principle: Sovereignty, Ethics, and the Narratives of the Gulf War*, (Boulder, Lynne Rienner Publishers, 1993), 69.

economic infrastructure.¹³⁸

David Campbell, author of *Politics Without Principle*, writes critically about the conduct of this war. Among his comments are these:

Thus, while the Pentagon's much-vaunted policy of avoiding civilian casualties was carried out insofar as neighborhoods were not targets for their own sake, the actual consequences of precision-guided bombing contradicted the policy. In something of a double irony, while smart weapons were thought to herald the possibility of new wartime strategies, it seems that they were employed in the service of war aims that sought to disable Iraqi society at large, in much the same manner as dictated by older notions of strategic bombing. That the destruction of Iraqi infrastructure was a war aim is evident in the fact that long after Iraqi troops were isolated in the south, targets such as bridges were being hit in the north. Indeed, Baghdad was subject to some of the most intense bombing of the war during the final ground phase. . . Whatever the reasons, the damage to Iraq's infrastructure - which a United Nations report termed "near apocalyptic" - is likely to cost more than \$30 billion to repair."¹³⁹

Kenneth Vaux is another analyst who, although less critical than Campbell, raises questions about the conduct of the war. In his book, *Ethics and the Gulf War*, he makes the following comment:

Was proportionate force employed? Here there was notable equivocation in the Allied response. The UN resolutions demanded the unconditional withdrawal of Iraq presence from Kuwait. The Allied purpose quickly moved beyond that aim to the dismantling of Iraq's military capacity, then of its social infrastructure. The destruction of communications and supply systems, water, electricity, bridges, roads, and in general the whole society probably was overkill. From U.S. General Colin Powell's initial threat of megawar to the final blitzkrieg of fleeing vehicles on the Basra road, we probably killed far more soldier and civilians than was necessary.¹⁴⁰

Ramsey Clark, a former U.S. Attorney General, was one of the few American

¹³⁸"UN Report Describes Catastrophe in Iraq," *Independent*, March 22, 1991, 13.

¹³⁹Campbell, 71.

¹⁴⁰Vaux, 5.

observers actually in Baghdad during the war. His account, *The Fire Next Time*, says that the destruction wrought by Coalition bombing was extensive. War is always tragic, but this war in particular wrought tragic results upon the Iraqi people. Clark made these observations after visiting Baghdad shortly after the war began.

The minister's (of health) communications and command chain were completely disrupted, and he was relying on couriers to bring in reports. Asked his priorities to save life and protect health, he named three without hesitation: water, water, water. He described contaminated water as a threat to the entire nation, and estimated that at least 3,000 were dead, 25,000 were receiving medical care, and a quarter of a million were sick from drinking polluted water. . . The minister believed all the municipal water systems of the country had been destroyed. A year later, when I returned to Basra, I found all the drinking water there was being brought in by trucks, and people waited in long lines to fill buckets for their homes. . . The minister arranged for us to be taken to one of the wards in the (local) hospital. What greeted us was a scene somewhere between Dante's *Inferno* and MASH. Cold and dark, with two candles for 20 beds, the room was crowded with patients, urgent instructions from doctors, occasional shrieks of pain, and the wail of grieving relatives filled our ears. . . A 12-year-old girl whose left leg had been amputated near the hip without anesthetics was in delirium.¹⁴¹

Clark toured other areas of Iraq and reported that the bombing had done extensive damage in areas south of Baghdad. In Basra, for example, he found that "Basra had suffered greater damage in less than three weeks of U.S. air and missile assault than during the entire months-long Iranian siege of the city during the Iran-Iraq war, according to the governor, who was in office during both assaults."¹⁴² He reports that in the city of Diwaniya, he saw a "damaged hospital with all its windows blasted out and a bomb-

¹⁴¹Clark, xiv.

¹⁴²Ibid, xv.

demolished school.”¹⁴³ His summary of the internal damage to Iraq is disturbing.

What was visible was a nation with thousands of civilians dead; without water, hospitals, or health care; with no electricity, communications, or public transportation; without gasoline, road and bridge repair capacity, or parts for essential equipment; and with a growing food crisis. Because of the nature of American weapons, Iraq was being crippled from afar and left to a painful struggle for survival. The bombing, as could be seen from the ground, was hardly surgical, but was clearly designed to break a whole country and its population for a long time to come.¹⁴⁴

In fact, the entire conduct of the war and our intensive attacks on the Iraqi infrastructure has caused a number of observers to question whether our true goal was simply to “free” Kuwait or to destroy Iraq as a potential power in the region. If true, this fact would change the entire frame of the debate over the justness of this war. Clearly, for one nation to disable another simply because they are deemed a threat cannot be justified. Given the rationale, we might be “justified” in launching a “first strike” against any other nation that possesses nuclear or chemical weapons.

President Bush stated early in the conflict that our issue was not with the Iraqi people. Yet, towards the end of the war, he called for the Iraqi people to overthrow Saddam Hussein. In fact, as the war progressed, his speeches increasingly focused on the evils of his regime. Vaux comments: “The rhetoric turned in a direction completely out of keeping with the spirit of just war: The enemy must be humiliated. Saddam Hussein must be disgraced before his people and the world. A fateful decision must already have been made by that point, changing the Allied policy goals from Iraq’s exit from Kuwait

¹⁴³Ibid, xv.

¹⁴⁴Ibid, xvi.

to the demolition of the Iraqi infrastructure, the destruction of its military power, and the deposition, if possible, of Saddam Hussein.”¹⁴⁵

Other observers made similar statements. A commentator writing for *U.S. News and World Report* stated that “the limits of the war have been pushed beyond Kuwait. Operation Desert Storm is now only in part about that country. Its principal target is the regime of Saddam Hussein. . . The cancer in Baghdad had to be cut out if order in the gulf were to have a chance.”¹⁴⁶

The Defense Department report seems to confirm that our war goals were as much directed at disarming Saddam Hussein as liberating Kuwait. Consider the following statements:

The geostrategic objectives set by the President on August 5, 1990, were achieved. Kuwait was liberated, and the security of Saudi Arabia and the Persian Gulf was enhanced. . . The threat posed by Iraq’s preponderance of military power in the region was swept away. . . The world will be a better place when Saddam Hussein no longer misrules Iraq. However, his tyranny over Kuwait has ended. The tyranny he sought to extend over the Middle East has been turned back. The hold that he tried to secure over the world’s oil supply has been removed. We have frustrated his plans to prepare to fight a nuclear war with Iran or Saudi Arabia or Israel or others who might oppose him. We will never know the full extent of the evils this war prevented.¹⁴⁷

The question then becomes whether or not this qualifies as a just objective, a just cause for war. Does the U.S. have the right to attack another nation that it deems dangerous and aggressive?

¹⁴⁵Vaux, 9.

¹⁴⁶Fouad Ajami, *U.S. News & World Report*, 4 February 1991, 11-12.

¹⁴⁷US Department of Defense, xvi.

A modern purpose of war, especially evident in both World Wars and the U.S. invasion of Grenada and Panama, is to discredit an unacceptable government, dismember its consolidated power, disarm the military strength that maintained its power, and free its opposition forces to overthrow existing leaders or at least assume participatory power in affairs of state. By December 1990 it was clear that this purpose had displaced the simple purpose of repelling Iraqi aggression and reestablishing the previous government of Kuwait. . . By this time Western leaders had made it clear that they hoped Saddam Hussein would be removed from power, but they stopped short of calling for or authorizing any agent to carry out assassination.¹⁴⁸

A war that is waged according to just war principles must observe the principle of proportionality. No damage, especially to civilians, is to be done that is not absolutely necessary to the prosecution of the just war objectives. In this light it is hard to justify the intensive destruction of the nation of Iraq. Vaux comments:

War is only good, in holy or just perspective, when the evil it unleashes is far less than the evil sought to be remedied. The Iraqi occupation and brutalization of the Kuwaiti people was a grave and serious wrong. The devastation of Iraq by the Allies and the residual tragedy of human death, ecological destruction, and refugee trauma may in the end prove to be the far greater evil.¹⁴⁹

Why did we bomb Iraq? Was Kenneth Vaux correct? He says: "A third goal articulated at this juncture of the war was to encourage the Iraqi opposition to rise up and overthrow Saddam Hussein's Ba'athist government. The West seemed not to believe, despite all informed counsel, that stripping Iraq of economic power, security capability, and life sustaining infrastructure - water medicines, and the like - would leave Saddam

¹⁴⁸Vaux, 20-21.

¹⁴⁹Vaux, 30.

Hussein with only brute force to exert his authority over the people.¹⁵⁰

The Allied strategy in the war was twofold. According to Chief of Staff General Colin Powell: "We're going to cut off the Iraqi army - then kill it." The high tech blitzkrieg undertaken for this purpose pounded military encampments in southern Iraq and bombed the major cities, especially Baghdad, with the view of severing all supply centers, food and equipment supply lines, communication and command centers, and essentially all the sustenance network of the Iraqi government and military system until it was completely incapacitated. After this initial effort, the bombing continued in order to liquidate Iraq's military capability by eliminating divisions - a euphemism for killing tens of thousands of Iraqi soldiers in the process of disarming them by destroying their equipment. After one week of bombing, sixty out of sixty-six airfields were totally incapacitated and the chemical weapons stockpile was obliterated. The two nuclear reactors were destroyed and ninety percent of the Scud missile launchers were taken out, although a few remained active until the very end of the war.¹⁵¹

I find this entire discussion to be the most troubling aspect of this war. Why did we bomb the interior of Iraq so extensively? One could well argue that it was simply part of our plan to get the war over quickly, with as few losses as possible to the Coalition forces. Could we not have limited our attacks to Iraqi forces in Kuwait and accomplished the same objective?

How can we as outside observers fathom the extent of the damage done to Iraq?

Ramsey Clark describes some of the damage that he observed:

Iraq's eight major multipurpose dams were repeatedly hit and heavily damaged. This simultaneously wrecked flood control, municipal and industrial water storage, irrigation, and hydroelectric power. Four of Iraq's seven major water pumping stations were destroyed. Bombs and missiles hit 31 municipal water and sewage facilities; 20 were hit in Baghdad alone. In Basra, the sewage system completely collapsed. Water purification plants were incapacitated nationwide. Those that were not damaged could not function without electricity. . .

¹⁵⁰Vaux, 31.

¹⁵¹Vaux, 26.

In a country built around two great rivers, 139 automobile and railway bridges were either damaged or destroyed, including 26 in the Basra province alone. Major highways and other roads were hit, too, making travel a nightmare . . .

Half of Iraq's agricultural production came from irrigated fields, and all of the irrigation systems serving them - including storage dams, barrages, pumping stations, and drainage projects - were attacked. Farmers lost the ability to flood or drain land, cutting food production in half and causing widespread saltwater intrusion in Basra province.

Allied bombs damaged 676 schools; 38 were totally destroyed. . . U.S. planes hit 11 oil refineries, five oil pipeline and production facilities, and many oil tankers.

I estimate 25,000 civilians had died from indirect effects of the bombing, embargo, shattered infrastructure, and damaged safety and health services by March 1, 1991. Adding 25,000 indirect deaths, 25,000 bombing deaths, and at least 100,000 postwar deaths makes total civilian deaths in excess of 150,000.¹⁵²

The criterion of proportionality must also be applied to the decision to conduct this war in the first place. Was the "good" that we accomplished worth the destruction that we wrought? We accomplished the "liberation" of Kuwait, destroyed much of Saddam's weaponry and guaranteed, for a time, world access to Persian Gulf oil. Was it worth the death of thousands of Iraqi civilians? It is a question that each of us must answer.

In conclusion, it is clear to me that the U.S. violated the principle of proportion in that we used more force that was actually necessary to drive the Iraqi forces from Kuwait. Just war theory requires that a nation use absolutely no more force than is necessary to accomplish an objective.

¹⁵²Clark, 64-66, 84.

IV. The Church's Response to the Gulf War

The debate over the morality of the Gulf war extended into churches and synagogues across America. Religious leaders were not agreed as to the best course of action in response to Iraq's invasion of Kuwait. Mainline Protestant and Catholic clergy generally opposed the President's decisions, while most evangelicals supported them. A writer for the *New York Times* observed:

In great cathedrals and synagogues and in smaller congregations in city and suburb through the weekend, there were prayers that the war would be short and that friends and loved ones would come home unhurt. There were prayers, too, for President Bush and for his military commanders. But on the war itself, there was no unanimity, as visits to a dozen houses of worship showed. The comments from pulpit and pew appeared to reflect the deep divisions and frustrations of the American people.

Some spiritual leaders denounced the war as an obscene exchange of blood for oil, as a diversion of resources from domestic wars against poverty and drugs, or as an exploitation of black troops who might bear the brunt of the fighting and dying in the coming ground war. Many people vowed relentless protests.

Others, citing Iraqi aggression against Kuwait, missile attacks on Israel and the willingness of Saddam Hussein to use chemical and biological weapons, expressed strong support for President Bush and the prosecution of the war.¹⁵³

George Weigel, president of the Ethics and Public Policy Center in Washington, D.C. said: "Unhappily, it cannot be said that the formal leadership of the American religious community brought very much wisdom on matters of ethics and international affairs to the debate before, during and after the Persian Gulf War."¹⁵⁴ Charles Colson, in an article for *Christianity Today*, agreed: "But if we're honest, we must admit that much

¹⁵³ Robert McFadden, "Amid Prayers for Peace, Preachers Split on War," *New York Times*, 21 January 1991, 6.

¹⁵⁴ Johnson and Weigel, 47.

of the fault lies with the church itself, which, for the most part, missed the opportunity to articulate a classical Christian view of justice and peace."¹⁵⁵

Mainline Protestant Response to the War

On September 14, 1990 the Executive Coordinating Committee of the National Council of the Churches of Christ in the U.S.A. issued a statement on the buildup of U.S. forces in the Gulf region. For the complete text of this document, the reader is invited to view appendix A of this thesis. This statement was, in part, a response to UN resolution 660 and the pending resolutions on economic sanctions. (UN resolution 660 condemned the invasion and called for the immediate withdrawal of Iraqi forces from Kuwait). The committee's statement condemned the invasion of Kuwait and supported economic sanctions against Iraq as long as those sanctions did not include food and medicine. The statement questioned the motives behind the Presidents' actions. In strong language the committee accused the U.S. of acting strictly out of self-interest.

Or is the goal of this military action preeminently the protection of U.S. access to oil supplies? We believe that the U.S. should act not primarily out of its interest in oil and power, but in response to the aspirations of the people of the Middle East. . . The current crisis also highlights the extent to which the relative affluence of our lifestyle has been dependent on access to inexpensive source of energy. The ecological crisis and the prospect of conflict over access to oil should encourage us to examine critically and to alter our wasteful and irresponsible stewardship of the gifts of the earth.¹⁵⁶

¹⁵⁵Charles Colson, "Peaceniks and Prophecy Mongers," *Christianity Today*, 27 May 1991, 88.

¹⁵⁶Johnson and Weigel, 95-97.

This statement was followed by a message and resolution from the General Board of the NCC on November 15, 1990. (For the complete text, see appendix B). The resolution was much harsher in its attack on the administration's policy, accusing it of "reckless rhetoric and imprudent behavior." It described the buildup of troops and U.S. arms sales in the region as "morally irresponsible." This statement expressed concern, and rightfully so, that the administration had not been clear about its exact goals in deploying troops to the region.

Indeed the rationales offered for the steady expansion of U.S. presence have often been misleading and sometimes even contradictory. Early statements that U.S. forces had been deployed for the defense of Saudi Arabia or the enforcement of UN sanctions have been supplanted by suggestions of broader goals, including expulsion of Iraqi forces from Kuwait by military means, or even offensive action against Iraq itself.

This statement from the NCC's General Board has been criticized for several reasons. For example, the statement expresses fear that the U.S. might "initiate war," whereas one could argue that the war actually began on August 2nd when Iraq invaded Kuwait. Further, based on a UN resolution, coalition nations were at this time enacting a naval blockade against Iraq which, under international law, could be considered an act of war.

In the paragraph entitled "the price of war," the resolution cites the large number of refugees fleeing Kuwait and Iraq. Then the resolution discusses the potential monetary cost of a war which, it says, is "likely to reduce further the nation's capacity to address human needs in our own society." One would have hoped that the "price of war" might also include concern for human lives, both American and Iraqi.

The board calls for the "immediate halt to the buildup and the withdrawal of U.S. troops from the Gulf region except those which might be required and explicitly recommended by the Security Council of the United Nations in accordance with the relevant provisions of the United Nations Charter"; however, when the United Nations approved the use of force on November 30, 1990, the NCC did not revise its position.

The greatest weakness of this statement is its lack of grounding in either Scripture or Christian tradition. Nor is there any substantive reference to Christian just war theory or to the Christian pacifist position. These are replaced by a strongly worded critique based on the NCC's understanding of U.S. foreign policy. George Weigel is one who has been extremely critical of the NCC statement:

But, its political foolishness aside, what was so striking about the NCC message was its sheer poverty as a moral reflection. The document contained two brief biblical citations, and its opening section was headlined 'theological and moral imperatives.' But there was no theology here, in any recognizable sense of the term. Just war criteria - as principles of statecraft, and as bases for assessing the morality of the possible use of armed force in the gulf - were singularly and glaringly absent from the NCC's analysis. But neither was the message rooted in principled pacifism. It simply lacked any serious content at all, substituting for moral analysis a tendentious and myopic reading of Middle Eastern politics, coupled with the hoary charge that it was American power that was most to be feared in the region.¹⁵⁷

What specific steps does this statement urge? It states that the "power we would invoke is not the power of the gun, nor is it the power of wealth and affluence; we would invoke the power of the cross and the resurrection, symbols for us of love and hope." Evidently this power is to be applied through economic sanctions. The resolution called

¹⁵⁷Johnson and Weigel, 38-39.

for "continued rigorous application of the sanctions against Iraq authorized by the United Nations Security Council until such time as it withdraws its forces from Kuwait."

From a just war standpoint the NCC was correct in questioning the administration's motives in this war. They were also correct in recommending economic sanctions as an alternative to war; however, this statement would have been more credible if it had been rooted in Scripture and Christian tradition vice such a scathing indictment of U.S. foreign policy. I agree with Weigel that the mainline Protestant churches missed a valuable opportunity to instruct American Christians on the practice of thinking theologically about war.

Another statement from Protestant church leaders was forthcoming. Eighteen church leaders participated on a "Church Leaders' Peace Pilgrimage to the Middle East" on December 14-21, 1990. The trip was coordinated by staff members of the National Council of Churches. The resulting statement urged that "our nation must not submit to the inevitability of war. . . Citizen action and the strength of public opinion could literally make possible a solution to this crisis without war."¹⁵⁸ These church leaders still hoped that economic sanctions and "serious and substantive negotiations" would solve the crisis. (See Appendix F for the complete text).

Thirty-two church leaders, including both Protestant and Orthodox clergy, sent a telegram to President Bush on January 15, 1991, urging him to refrain from military action. Apparently they hoped that the President might change his plans even at such a

¹⁵⁸Johnson and Weigel, 134.

late date. (See Appendix G for the complete text). This statement specifically referred to the just war criteria of proportionality and last resort.

And this we know out of bitter experience: in the paths of these armies will be ground to death aggressors and victims alike; the Kuwaiti lives, national dignity, and property which your deployed troops to rescue are likely to be destroyed; and very many of our own countrymen and women will die. This sacrifice is out of proportion to any conceivable gain which might be achieved through military action.¹⁵⁹

One of the strongest criticisms of the NCC's position came not from within the U.S. but from a group of Protestant leaders in Czechoslovakia. Their response clearly reflects the experience of living under Communist rule and the resulting empathy these clergy had for the Kuwaiti people.

We are worried by the news that some representatives of your churches are hindering the efforts of your President, George Bush, who is trying to force the Iraqi dictator to an unconditional withdrawal from Kuwait. Your church representatives fear that Kuwait could be attacked without sufficient reason and in an inappropriate manner. We understand their fears, but we raise the following questions: Do the representatives of your Protestant churches fear with the same intensity that the initiative to stop the dictator, for which the democratic world has finally come together, may gradually weaken and eventually collapse? Do they fear with the same intensity that Saddam Hussein could continue his crimes against the Kurds in Iraq? Do they fear with the same intensity that the aggressor could retain a part of his spoils and of his imperial prestige, prepare another aggression, and start a war that would be much worse than the war which threatens us today? . . .

. . . Your church representatives have underestimated the criminal nature of the Marxist regimes. Now they underestimate the criminal nature of the regime of Saddam Hussein. They defend peace in their speeches, but in reality they help prepare a terrible war in the same way as Chamberlain and Daladier prepared the war in 1938 by giving Czechoslovakia to Hitler in the foolish belief that they were saving peace. We highly appreciate the initiative of your President in the Gulf area. Mr. Bush defends peace, human rights, and democracy in the whole world by his vigorous stand against the aggressor. We do not think that your President and his advisors are infallible, but the representatives of the Protestant churches . . . should

¹⁵⁹Ibid, 137.

only criticize Mr. Bush in such a manner as not to weaken his initiative against the criminal dictator.¹⁶⁰

The Catholic Response to the War

The Catholic response in the U.S. agreed in its conclusion with the NCC statements. Archbishop Roger Mahony was chairman of the International Policy committee of the U.S. Catholic Conference in the fall of 1990. His letter to Secretary of State James Baker was adopted by the U.S. bishops as their own policy statement during their annual meeting in November, 1990, and this letter served as the basis for several other statements from U.S. Catholic leadership on the issue. The letter strongly urged that the U.S. "stay the course of persistent, peaceful and determined pressure against Iraq." Archbishop Mahony briefly described the criteria of just war and how they would apply to the Kuwaiti situation and concluded that "a resort to war in violation of these criteria would jeopardize many lives, raise serious moral questions and undermine the international solidarity against Iraq."¹⁶¹ The reader is invited to see Appendix C for the complete text of this letter.

On November 15, 1990, Archbishop Daniel Pilarczyk, president of the National Conference of Catholic Bishops, wrote to President Bush. His letter built on Archbishop Mahony's statement and urged "strong, persistent and determined international and

¹⁶⁰ "An Open Letter to the Protestants of the United States of America" *National Review*, 11 February 1991, 15. (Signed by "several Protestant signatories of Charter 77, Czechoslovakia")

¹⁶¹ Johnson and Weigel, 102.

peaceful pressure against Iraq." Both of these letters, while clearly worded, were more moderate in tone than the NCC statement. Appendix D contains the text of this letter.

On December 6, 1990, Archbishop Roach testified before the Senate Foreign Relations Committee on the morality of the pending war. He also discussed just war criteria. On the question of just cause, he rightly stated that the U.S. needed to clarify its objectives before the issue could even be properly debated. He also clearly stated that he did not believe that the criterion of last resort had been met. He urged the use of sanctions and negotiations and concluded: "I believe a resort to offensive military action in this situation could well violate traditional moral criteria, undermine domestic unity and global solidarity against Iraq, and bring about an exceedingly dangerous, divisive, bloody and unnecessary war."¹⁶² Appendix E is the text of this testimony.

The Evangelical Response

While the mainline Protestant and Catholic leaders in the U.S. opposed the war, the evangelical community and its leadership generally supported it. The following selection of comments attests to this conclusion. Richard Land, head of the Southern Baptist Christian Life Commission, referring to the WCC's call for a cease-fire, said: "If that were put to a vote of the membership of the churches belonging to the National Council, it would lose, and lose badly. On balance I would say that approximately one month into hostilities, the criteria laid down for conduct of a just war have been met."¹⁶³

¹⁶²Johnson and Weigel, 128.

¹⁶³ "Call to the Churches," *Christian Century*, 27 February 1991, 225.

Pat Robertson, former Presidential candidate and head of the Christian Broadcasting Network, was quoted as saying: "No one in his right mind desires domestic police shootouts or wars between nations, but unless murderers, kidnappers, assassins and international thugs are brought to justice, the rule of law will cease to exist. . . The U.S. has a job to do, and, unpleasant and painful as it may seem, the sooner we get it over with, the better."¹⁶⁴ Billy Melvin, the executive director of the National Association of Evangelicals, said that his organization did not take any official position on the war. "We are not," he said, "military strategists or experts on international relations, so our churches are concentrating on what they do best: committing the situation and its implications to prayer, giving spiritual care to U.S. servicemen and women through our chaplains, and ministering to their families here at home."¹⁶⁵ Robert Dugan, director of the NAE's Washington Office on Public Affairs was more vocal: "I think most evangelicals would conclude that while it is an awesome responsibility to have the world looking to the United States to lead this charge . . . it does meet the just-war criteria."¹⁶⁶

On January 28, 1991, President Bush addressed the annual convention of the National Religious Broadcasters. President Bush, in his fifth appearance at an NRB convention, used the occasion to contend that the U.S.-led action against Iraq was a 'just war' and a 'moral' cause. He said that "Saddam tried to cast this conflict as a religious war, but it has nothing to do with religion per se. It has, on the other hand, everything to

¹⁶⁴Pat Robertson, quoted in "Leaders Wrestle with Faith and War," *Christianity Today*, 11 February 1991, 50.

¹⁶⁵Ibid, 51.

¹⁶⁶Ibid, 51.

do with what religion embodies: good versus evil, right versus wrong, human dignity and freedom versus tyranny and oppression."¹⁶⁷

Following the President's speech, the NRB's Board of Directors passed two resolutions regarding the war. The first expressed support for the President's action. The second promised prayers for a "speedy end" to the conflict. Outgoing NRB president Jerry Rose said that "we are not advocating war, but . . . we believe that there are times when unfortunately and tragically because of circumstances, we have to be involved in war."¹⁶⁸

A minority of evangelical voices raised concerns about the war. One of them was Robert Seiple, President of World Vision International, a Christian relief and development agency, and a Marine aviator during Vietnam. He said: "The issues of war are always more sterile than the faces of conflict. But make no mistake, the faceless rationales of lifestyles, the price of oil, economic considerations, and the New World order all become razor-thin reasons that lose all logic when the first shot is fired in anger."¹⁶⁹

I write from the perspective of an evangelical Christian who asks, "What should evangelicals have been concerned about during this war?" Yes, we should have been concerned about the takeover of Kuwait, and the atrocities committed in that country. We should also have been asking hard questions about the real goals and motives of the

¹⁶⁷Johnson and Weigel, 142.

¹⁶⁸Kim A. Lawton, "Religious Broadcasters Hear Bush Defend Gulf Action," *Christianity Today*, 11 March 1991, 62.

¹⁶⁹"Leaders Wrestle with Faith and War," 51.

administration's policy. We should have been concerned about the future of Christian-Arab relations in an area of the world traditionally resistant to the gospel. Above all, we should have been concerned about the numbers of unevangelized Iraqis, both military and civilian, who were killed in this war and the future of their souls. At the same time that we rejoiced over the relatively low number of American casualties, we should have grieved over the unknown number of young Iraqi soldiers who were burned, bombed and buried in the desert during this war, as well as the many Iraqi civilians who died as a result of our actions.

Summary

It is easy to be critical in retrospect. I am writing this thesis in 1998, knowing the outcome of the war and the costs involved. Still, I think that George Weigel is correct in saying that the Protestant Church in America missed a great opportunity to draw upon the historic Christian positions on war and apply them to the Gulf crisis. There is plenty of material in the just war tradition by which the Gulf war could have been evaluated and criticized. Unfortunately, when the Church takes political stands without strong theological grounding, it loses its credibility with its hearers. Perhaps this is one of the reasons why President Bush did not adhere to the positions of either the NCC or his own Episcopal Church.

Evangelicals, of which I am one, were too quick to support this war. If we had carefully looked at the history behind this conflict, or had known more about the history of U.S. involvement in the region, we would have been more skeptical. If we had known

the extent of the damage that coalition bombing did inside the country of Iraq, we might have been outraged.

V. Conclusions

I began this project with the expectation that I would be able to defend this war on the grounds of just war theory, as a number of scholars have already done. I regret that today I am not able to make that conclusion. President Bush, in a speech made during the war, stated that the war was about "everything that religion embodies - good versus evil." Archbishop Mahony, in contrast, stated that the pursuit of the war raised "serious moral questions." Based on my research, I have to agree with Archbishop Mahony that the Gulf War raises serious moral questions and rather than consisting of black and white issues is, at best, "washed in shades of gray."¹⁷⁰

My greatest concerns are about the conduct of this war. We wrought massive devastation on the Iraqi people who became innocent recipients of both the wrath of Saddam Hussein and the destruction brought by the Coalition forces.

How might this war have looked if it had been truly framed by just war theory? The Coalition would have insisted on at least one year of economic sanctions to test their effectiveness before resorting to military force. No U.S. military offensive action would have been planned, prepared or enacted without the explicit approval of Congress and such approval would have been followed by a clear declaration of war aims. All of our actions would have been shaped by the justifiable cause, the freeing of Kuwait from Iraqi occupation. As such, military actions would have been directed against the Iraqi forces in and around Kuwait, and not against the Iraqi civilian infrastructure.

¹⁷⁰This is David Campbell's term from his book, *Politics Without Principle*.

This leads us to one of the troubling aspects of just war theory. With its strong prohibitions against harming noncombatants, it places combatants at greater risk. Just war theory demands compassion for both combatants and noncombatants, including one's enemies.

It appears that some writers, in evaluating this war, make the assumption that having a just cause overrides other aspects of the theory. In other words, they assume that once a nation, or group of nations, possesses a just cause any action taken in pursuit of that cause is justified. That is a distortion of the just war theory.

In summary, these are my conclusions about the Gulf War in light of just war theory. The Coalition had a just cause only if that cause is defined as the defense of Kuwait. Our actions in the war itself are the evidence that the administration's intent was really the destruction of Iraq's offensive capability and the protection of our oil supply. As I have already discussed, President Bush violated the criteria of proper authority and last resort. The conduct of the war violated the principle of proportion, which demands that nations not inflict any more damage on the enemy than is absolutely necessary for the achievement of its objectives.

I have been a military chaplain for twelve years. Our men and women in uniform showed extraordinary courage and resolve in the face of the severe danger that existed in this conflict. They placed their lives at risk in obedience to their country's demands. They served under harsh and difficult circumstances away from the comforts of home and family. Personally, I was grateful and relived that we had so few casualties. As for

their motives, I am confident that most of them served in the Gulf in obedience to their country and in order to oppose a cruel and unjust Iraqi regime.

Can a nation go to war to protect its national interests? Frankly, I do not know at this time how to answer that question based on just war theory; however, in reference to the specific war at hand, I would like to reframe that question. Is it justifiable for a nation to conduct a war and kill other human beings to defend a natural resource that it has available within its own natural boundaries? One of the causes of this war is our own failure as a nation to develop a comprehensive national energy policy.

Perhaps some of the strong wording that I have used in this thesis is due to my own sense of betrayal in this matter. I was led to believe, like most Americans, that the surgical strikes made by the Coalition had a minimal impact on the Iraqi people. I was led to believe that their suffering was minimal. Today it is clear that is not the case. It is possible that far more Iraqi civilians than soldiers have died as a result of the bombing and sanctions.

Part of my frustration over this project is my own inability to make final conclusions. The principle of proportion in just war theory asks the question, "Was it worth it?" Was what we accomplished worth the destruction that we wrought? On the positive side, Saddam Hussein's power has been curbed and world access to oil protected. Kuwait's independence has been restored. Yet thousands of Iraqis have died, including many women and children.

In the course of this research I have had to ask, "How useful is just war theory today?" Recently I have been attracted to the writing of Christian ethicist Paul Ramsey.

Dr. Ramsey follows the reasoning of Augustine in arguing that the motive of love must compel the Christian to defend a neighbor who is unjustly attacked. Thus his theory of just war relies heavily on the concept of a just cause, which consists only in the protection of those unjustly assaulted. Dr. Ramsey also stresses heavily the criteria of proportion and discrimination in the conduct of war. I think that this is a workable theory for contemporary Christians and one which I intend to learn more about in the future.

Who can use just war theory properly? Can these criteria be used by persons who do not share the same moral and philosophical frame of reference as those who originally composed them? How, for example, can a non-Christian understand the motive of love as described by Augustine?

The work of just war theory is made more difficult by the fact that there is not one universally accepted list of criteria and no universally accepted definitions of their exact meaning. Under some interpretations of just cause, for example, Iraq would have had a just cause for war since they were denied access to the sea. If just war criteria are simply guidelines subject to private interpretation, what would prevent them from being used by those who simply wish to justify their actions? What force would a Christian theory of war have for non-Christians?

Just war theory properly understood begins with the assumption that killing is wrong and is to be avoided whenever possible. Thus violence is justified only under certain narrowly defined circumstances. Christian just war assumes that even enemies are persons of value before God. Therefore, one might kill out of a sense of obligation

and necessity, but only with sorrow. A just warrior would rather lose or die than fight unjustly. A nation that functions according to just war principles would rather accept defeat than to kill the innocent.

I am convinced more than ever that Christians who participate in the military need a articulated framework out of which to evaluate that participation. Christian just war theory seems a logical place to begin such reflection.

I will close with a brief quote from Lisa Cahill. "Above all, Christians must challenge the tendency of just war theory to function as an 'opiate,' lulling citizens into submission to the decisions of leaders whom they assume to have not only moral responsibility for the public good, but also superior knowledge about morally defensibly means by which to exercise it."¹⁷¹

¹⁷¹Cahill, 244-245.

Appendix A

Message and Resolution From the Executive Coordinating Committee of the National Council of Churches

(This message, to member communions, and resolution were adopted by the Executive Coordinating Committee of the National Council of the Churches of Christ in the U.S.A. on September 14, 1990.)

On August 4, 1990, following Iraq's invasion of Kuwait, the General Secretary of the National Council of the Churches of Christ in the U.S.A. issued a statement expressing its opposition to the invasion and calling for the immediate and speedy withdrawal of Iraqi forces from Kuwait. In the intervening weeks, Iraq has announced its annexation of Kuwait, and the U.S. has sent military forces into the area. The United Nations Security Council has approved resolutions calling for economic sanctions against Iraq and authorizing minimal use of force to enforce those sanctions.

The invasion of Kuwait and succeeding events have created a new and acute refugee problem in the region, with the largest burden falling on the Kingdom of Jordan. Currently there are an estimated 105,000 displaced persons in Jordan. In addition to humanitarian efforts by United Nations agencies, the Middle East Council of Churches has appealed for our prayers and for food, medical supplies, tents and bedding for this increasingly desperate population. The NCCC/USA's unit for Church World Service and Witness has, in turn, appealed for \$75,000 to assist the MECC in its relief efforts.

Iraq's's Invasion and Attempted Annexation of Kuwait

In response to Iraq's's invasion of Kuwait on 2 August 1990, the General Secretary of the National Council of the Churches of Christ in the USA issued a statement which strongly opposed that invasion. The Executive Coordinating Committee of the NCCC/USA reaffirms the content of that statement.

Subsequently Iraq has illegally annexed Kuwait, basing its actions on historical claims to Kuwaiti territory and on the unrepresentative character of the Kuwaiti government. It has also accused Kuwait of inappropriate production and pricing of its oil. The invasion and annexation of Kuwait has been widely condemned by the international community. While it is true that national boundaries in the Middle East are a legacy of the colonial period, alterations of the boundaries of nation-states may not, under international law, be undertaken through unilateral military action. Neither the nature of a particular government nor its economic policies can be taken as a justification for external intervention. Iraq's own recent history of political repression and unrepresentative rule give its claims an especially hollow ring.

The NCCC/USA supports the United Nations Security Council in its call for the application of economic sanctions against Iraq as a means of inducing the withdrawal of Iraqi forces from Kuwait. Such concerted nonviolent efforts on the part of the international community and particularly of the Arab states offer the best hope for a fair resolution of this issue.

The U.S. Response

The rapid military response of the US government to this crisis, in consultation with Saudi Arabia and other governments, is widely perceived to have deterred further Iraqi incursions. However, the growing magnitude of the US military presence and the apparent open-ended nature of the US involvement in the region give rise to serious questions which we believe the churches should consider with care. The extent of the commitment of US forces and weaponry in the Gulf region is the largest US military deployment since the Vietnam War. The possibility that some US troops and much of this weaponry may remain in the region does not bode well for the future peace of the region particularly in light of the fact that the Middle East's political disputes remain unresolved. It is the open-ended nature of the US commitment of troops and the long-term intentions of the US with regard to a permanent military presence in the Gulf that should be the subject of open debate.

We are also concerned by the extent to which this introduction of military forces is perceived to be a unilateral US action, despite President Bush's assertion that the US is acting under the authority conveyed by UN Security Council resolutions. We believe that all efforts to implement UN Security Council resolutions ought to be carried out under the aegis of the UN. Similarly, international resources which have been garnered in response to US appeals ought to be directed to the United Nations peacekeeping effort.

We are further concerned about the lack of clarity regarding the goals of this deployment of forces. Is the goal the restoration of the *status quo ante bellum*? Will US intervention assure the return of the ruling family to power in Kuwait? Will the US seek to guarantee the Kuwaitis' right to self-determination and representative government?

Or is the goal of this military action preeminently the protection of US access to oil supplies? We believe that the US should act not primarily out of its interest in oil and power, but in response to the aspirations of the people of the Middle East of development, justice, peace and accountable government.

Humanitarian Issues

We are keenly aware of the humanitarian dimensions of this crisis. Hundreds of thousands of expatriate workers have been compelled to leave Iraq and Kuwait, most of them seeking refuge in Jordan. Many of these people arrive malnourished and ill, having been exposed to the elements. They are the most numerous and the most desperate of the victims of this crisis. We intend to respond generously to the appeal issued by the Middle East Council of Churches for food, medicine and bedding to meet the most immediate needs of these displaced persons. Further, we shall urge the US government to make a generous contribution to the appeal issued by the International Organization for Migration to enable the airlift of evacuees stranded in Jordan.

Resolution Regarding the Gulf Crisis

The Executive Coordinating Committee of the National Council of the Churches of Christ in the USA

1. *Urges* all governments to comply with all resolutions of the United Nations Security Council dealing with the situation in the Middle East.
2. *Urges* the US government to contribute generously to United Nations efforts to meet the humanitarian needs of those who have been victimized by the Iraqi invasion of

Kuwait and its aftermath and to the International Organization for Migration in its efforts to enable the airlift of evacuees from Jordan.

3. *Urges*, in accordance with UN Security Council resolutions 660, that the provision of essential foodstuffs and medicine to civilian populations, including the Iraqi civilian population, be excluded from the economic embargo against Iraq as authorized by the UN Security Council.

4. *Urges* that all US efforts to resolve the current conflict in the Gulf region be undertaken within the framework established by the relevant UN Security Council resolutions and that efforts be made as soon as possible to place all foreign military forces under United Nations command.

5. *Expresses* its opposition to any long-term commitment of US military forces in the Middle East outside the framework of a UN peacekeeping force.

Appendix B

Message and Resolution From the General Board of the National Council of Churches

This statement was adopted by the General Board of the National Council of the Churches of Christ in the U.S.A. on November, 15, 1990.

THE MESSAGE

Theological and Moral Imperative

I, Therefore, the prisoner in the Lord, beg you to lead a life worthy of the calling to which you have been called, with all humility and gentleness, with patience, bearing with one another in love, making every effort to maintain the unity of the Spirit in the bonds of peace. (Ephesians 4:1-3)

Throughout the history of the church, the question of the admissibility of war as a means of resolving disputes has been a source of differences, and at times division, in the body of Christ. Among our own communions, there is a wide diversity of approaches to this question. For all Christians, however, war is a sign of the sinful human condition, of human alienation from God, of alienation between human beings who are all children of God.

We stand at a unique moment in human history, when all around us seemingly impregnable walls are being broken down and deep historical enmities are being healed. And yet, ironically, at such a moment our own nation seems to be poised at the brink of war in the Middle East. "What then are we to say about these things?" (Romans 8:31) The quest for peace and the quest for Christian unity, which is the very reason for our existence as a Council, are intimately related. As churches seeking to recover our unity, we are called to be the salt and leaven of our societies. Together with other faith

communities, we are called to address moral and spiritual dimensions in the debate on a national policy that seems to be careening toward war. Believing the Christ is our peace, we cannot do other than to strive to be the incarnation of creations' cry for peace.

Unanswered Questions

Two months ago, on September 14, 1990, the Executive Coordinating Committee of the National Council of the Churches of Christ in the U.S.A. addressed a message to its member communions on the Gulf crisis. That message condemned Iraq's invasion and occupation of Kuwait, raised serious questions about the decision of the US government to send troops to the Gulf region and about the growing magnitude of US presence, noting that the extent of the commitment of US forces and weaponry was the largest since the Vietnam War. Since then, the US has more than doubled the number of troops sent to the region to a number approaching a half million persons.

The message also questioned the apparent open-ended nature of US military involvement in the Middle East and the failure on the part of the administration clearly to state its goals. President Bush and the administration officials have done little to clarify either of those points. Indeed the rationales offered for the steady expansion of US presence have often been misleading and sometimes even contradictory. Early statement that US forces had been deployed for the defense of Saudi Arabia or the enforcement of UN sanctions have been supplanted by suggestions of broader goals, including expulsion of Iraqi forces from Kuwait by military means, or even offensive action against Iraq itself. The nation still has not been told in clear and certain terms what would be required for the withdrawal of U.S. troops.

The Prospect of War

The initial response of the NCCCC/USA was carefully measured, recognizing the magnitude of the injustice inflicted by Iraq against Kuwait, and the unprecedented reliance by the United States on the mechanisms of the U.N. In contrast, the U.S. administration increasingly prepares for war, a war that could lead to the loss of tens of thousands of lives and the devastation of the region. Such talk has given rise to widespread speculation in our country, in the Middle East and elsewhere that the United States will initiate war.

In the face of such reckless rhetoric and imprudent behavior, as representatives of churches in the United States we feel that we have a moral responsibility publicly and unequivocally to oppose actions that could have such dire consequences.

The Wider Implications

Our earlier message also pointed out that the active US effort to implement United Nations Security Council resolutions relating to the occupation of Kuwait by Iraq stands in marked contrast to US negligence regarding the implementation of Security Council resolutions 242 and 338. These call for the withdrawal of Israeli troops from the territories occupied in the 1967 War and the convening of an international conference to resolve the Israeli-Palestinian issue. There has also been negligence regarding the implementation of Security Council resolutions 359, 360 and 361 which call for the withdrawal "without delay" of Turkish troops from Cyprus and solving the problems of the island through negotiations.

During the intervening weeks the situation in the Israeli-Occupied Territories has, in fact, worsened. The US government's condemnation of the massacre on the Haram al-Sharif/Temple Mount and its endorsement of a US mission to the Occupied Territories was a welcome departure from past policies. The failure of the US government to take any substantive measures to oppose the Israeli occupation, however, weakens the effect of its appropriate outrage over Iraqi aggression against Kuwait. The region cries out for a US policy that seeks to redress all cases of injustice, including those of Israel and Palestine, Lebanon and Cyprus.

The Dangers of Militarization

The presence of US troops in the Middle East has lead to an expansion of the military capacity of an already grossly over-militarized region. The proposed billions of dollars of arms sales to Saudi Arabia, the forgiveness of military debts to Egypt and Israel and the supplying of both with new and more sophisticated weaponry, combined with a seeming lack of initiative to resolve the region's unsettled disputes, can only be seen as morally irresponsible.

The Price of War

The price of war and the preparation for further conflict is already being paid in human terms. Hundreds of thousands of foreign workers and their families have been compelled to leave Kuwait and Iraq, creating enormous strains on the Kingdom of Jordan and the Republic of Egypt and, ultimately, on the societies to which they are returning.

The cost of the current US military presence in the Gulf is estimated at \$1 billion each month. This "extra-budgetary expenditure" is once again likely to reduce further the nation's capacity to address human needs in our own society. Thus, among the early victims of this tragic engagement will certainly be the growing numbers of the poor, homeless, sick and elderly. The corrosive effects on our nation will be felt especially by racial ethnic communities who make up a disproportionate number both of the poor and those who are on the front lines of military confrontation.

A New World Order

We stand on the threshold of a "new world order." Indeed, the near unanimous condemnation by the nations of the world of Iraq's illegal occupation of its neighbor, Kuwait, shows the promise of a new approach to the vocation of peacemaking for which the United Nations was created forty-five years ago. There are present in this moment seeds either of a new era of international cooperation under the rule of international law or of rule based upon superior power, which holds the prospect of continuing dehumanizing chaos.

Our churches have long sought to nurture and bring to fruition the seeds of hope. The power we would invoke is not the power of the gun, nor is it the power of wealth and affluence; we would invoke the power of the cross and the resurrection, symbols for us of love and hope. As Christians in the US we must witness against weak resignation to the illogical pursuit of militarism and war. We must witness to our belief in the capacity of human beings and human societies to seek and achieve reconciliation.

The General Board of the NCCC/USA commends this message to the churches, all Christians, and persons of other faiths, inviting them to join us in continuing prayer and urgent action to avert war in the Persian/Arabian Gulf region, and to join in the quest for a just and durable peace in the Middle East.

RESOLUTION ON THE GULF AND MIDDLE EAST CRISIS

The General Board of the National Council of Churches, meeting in Portland, Oregon, November 14-16, 1990, recognizing its solidarity with the Christians of the Middle East and with the Middle East Council of Churches:

Urges the government of Iraq to release immediately all those citizens of other nations being held against their will in Kuwait or Iraq and to withdraw immediately its troops and occupation forces from Kuwait.

Calls for the continued rigorous application of the sanctions against Iraq authorized by the United Nations Security Council until such time as it withdraws its forces from Kuwait.

Reiterates its opposition to the withholding of food and medicine as a weapon against civilian populations.

Encourages the Secretary General of the United Nations to exercise fully his own good offices in pursuit of a rapid negotiated resolution of the present conflict in the Gulf.

Calls upon the President and US Congress to pursue every means for a negotiated political solution to the crisis in the Gulf, including direct negotiations with Iraq.

Reiterates support for the convening under UN auspices of an international conference for a comprehensive peace in the Middle East, as a means of implementing United

Nations Security Council resolutions on Israel and Palestine, Lebanon and Cyprus, recognizing that the present crisis cannot be isolated from the unresolved issues of the region as a whole.

Calls for an immediate halt to the buildup and the withdrawal of US troops from the Gulf region except those which might be required and explicitly recommended by the Security Council of the United Nations in accordance with the relevant provisions of the United Nations Charter.

Calls upon the US government to give leadership to the institution of an immediate and complete embargo under UN auspices on arms transfers to the Middle East.

Calls upon member communions, congregations, local and regional ecumenical agencies and individuals to make peace in the Middle East a paramount and urgent priority for prayer, study and action.

Expresses its profound gratitude for the witness of the Middle East Council of Churches and commits itself to continued partnership with the MECC in its efforts for peace, justice and development.

Requests the President and General Secretary to engage in dialogue and to coordinate where possible and appropriate with the National Conference of Catholic Bishops and Evangelical organizations with regard to the development of statements or actions in an effort to provide a common Christian witness.

Requests the President and General Secretary to communicate this resolution to the President and Secretary of State, to the members of Congress, to the President of Iraq, to

the Secretary General of the United Nations, the World Council of Churches, and to the Middle East Council of Churches.

Appendix C

Letter From Archbishop Mahony to Secretary of State Baker

On November 7, 1990, Archbishop Roger M. Mahony of Los Angeles, chairman of the International Policy Committee of the United States Catholic Conference, sent this letter to Secretary of State James A. Baker III. The United States Catholic Conference is the public policy agency of the Roman Catholic bishops of the United States. On November 12 the U.S. bishops, at their annual meeting in Washington, voted to adopt Archbishop Mahony's letter as their own.

I WRITE AS chairman of the International Policy Committee of the U.S. Catholic Conference to share several concerns and criteria regarding possible use of U.S. military force in the Persian Gulf. As Catholic bishops we are deeply concerned about the human consequences of the crisis—the lives already lost or those that could be lost in a war, the freedom denied to hostages, the victims of aggression and the many families divided by the demands of military service. As religious teachers, we are concerned about the moral dimensions of the crisis—the need to resist brutal aggression, to protect the innocent, to pursue both justice and peace, as well as the ethical criteria for the use of force. As U.S. citizens, we are concerned about how our nation can best protect human life and human rights and secure a peaceful and just resolution to the crisis.

Our conference has thus far emphasized five basic issues in addressing the crisis:

1. The clear need to resist aggression. We cannot permit nations to simply overwhelm others by brutal use of force.

2. The need for broad-based, international solidarity which seeks effective and peaceful means to halt and reverse aggression. We strongly support the U.N. actions and the international pressure which has effectively halted Iraqi aggression and offers hope for the peaceful liberation of Kuwait.

3. The need to condemn the taking of hostages and the mistreatment and killing of civilians. We deplore the cynical and intolerable actions of the Iraqi government in taking innocent civilians against their will and using them for protection or propaganda, as well as the brutal treatment of civilians in Kuwait.

4. The essential need to distinguish between the leaders of Iraq and the civilians of Iraq and Kuwait. In the carrying out of the embargo and other actions, we need to take care so that innocent civilians are not deprived of those essentials for the maintenance of life, i.e., food and medicines.

5. The imperative to seek a peaceful resolution of the crisis and pursue legitimate objectives by non-violent diplomatic means. We continue to call for effective solidarity, perseverance and patience in the search for a peaceful and just outcome to the crisis.

It is on this last point, the persistent pursuit of a peaceful solution, that I write to you now. As the Administration assesses the military and geopolitical implications of initiating combat, we also ask you to carefully assess the moral consequences of resort to war.

Our country needs an informed and substantive discussion of the human and ethical dimensions of the policy choices under consideration. In the Catholic community there is a long history of ethical reflection on these issues and diverse points of view. As chairman

of this committee, I share these reflections with you, not to offer a definitive judgment but to suggest some essential values and raise some key questions which must be considered as the United States explores its options. We hope they will contribute to the necessary and growing public debate about whether the use of military force could be morally justified and under what, if any condition. We specifically seek to draw attention to the ethical dimensions of these choices so that they are not ignored or neglected in a focus on simply military and geopolitical considerations.

In our tradition, while the use of force is not ruled out absolutely, there is a clear presumption against war. The right to self-defense or to repel aggression is restricted and governed by a series of moral principles, often called the "just war" theory. These criteria spell out the conditions which have to be met for war to be morally permissible. Among the major criteria are:

(a) *Just cause*: Is there "a real and certain danger" which can only be confronted by war? Several objectives have been put forth for U.S. policy: to deter and repel aggression, to safeguard human rights, to assure adequate and affordable energy supplies, to advance a new international order, to overthrow a hostile dictator. In order to meet the just cause criteria, U.S. policy would have to clarify its precise objectives, measure them by ethical values and demonstrate that they can only be achieved through the use of force.

(b) *Competent authority*: This principle asks who in this case is the competent authority to authorize the use of force: the president acting alone, the president and Congress, the United Nations, which has played an indispensable role in securing

international condemnation of Iraq? This principle is crucial given past conflicts in our own country about who has such powers.

(c) *Right intention*: Are the reasons set forth as a just cause for war the actual objectives of military action?

(d) *Last resort*: Have all peaceful alternatives been fully pursued before war is undertaken? Can the international economic and political pressure on Iraq bring about a just solution over time without resort to violence?

(e) *Probability of success*: Is the prospect of success sufficiently clear to justify the human and other costs of military action?

(f) *Proportionality*: Are the damage to be inflicted and the costs incurred by war proportionate to the objectives to be achieved by taking up arms? In this case are the expressed values at stake so important, i.e., the survival of Kuwait, repelling aggression, etc., that they justify the resort to force and the consequences of the use of force? Will war with Iraq leave the people of Kuwait, the Middle East and the world better or worse off?

In addition to these criteria, there are others which govern the conduct of war. These principles include proportionality and discrimination, i.e., the *military* means used must be commensurate with the evil to be overcome and must be directed at the aggressors, not innocent people. For example, the Second Vatican Council declared, "Any act of war aimed indiscriminately at the destruction of entire cities or of extensive areas along with their population is a crime against God and man himself. It merits unequivocal and unhesitating condemnation."

Military action against Iraq would have to be restrained by these two principles, necessarily ruling out tactics and strategies which could clearly target civilian lives. This means this war would have to be a limited war, raising again the probability of success and the price to be paid given the hostile physical environment, the fragility of the anti-Iraq alliance and the volatility of regional and domestic political support.

These considerations lead me to strongly urge that the United States, in continued cooperation with the United Nations, the Soviet Union, Arab states and other nations, stay the course of persistent, peaceful and determined pressure against Iraq. A resort to war in violation of these criteria would jeopardize many lives, raise serious moral questions and undermine the international solidarity against Iraq. We understand that a strong military presence can give credibility to a vigorous pursuit of non-violent solutions to the crisis. They may also open the door for a new, broader and more imaginative dialogue concerning the deep-seated and long-standing problems which have contributed to the current situation.

We pray for the safety and welfare of the peoples of that troubled region. We pray for the liberation of the hostages and the people of Kuwait. We pray that the American men and women deployed in the Gulf may by their presence support a peaceful resolution of the crisis and return home safely and soon. And finally, we pray that our leaders and all other parties concerned will have the persistence, wisdom and skill to resolve the current crisis in peace and with justice.

Appendix D

Letter From Archbishop Pilarczyk to President Bush

On November 15, 1990, Archbishop Daniel Pilarczyk of Cincinnati, president of the National Conference of Catholic Bishops, sent the following letter to President Bush. The letter reflected the discussion on the Gulf crisis by some 300 bishops meeting in a closed-door executive session on November 14.

I WRITE AS president of the National Conference of Catholic Bishops to offer our prayers for you, our president, at this time of difficult choices on how best to confront aggression and preserve human life and human rights in the Middle East. I also write to share our conference's deep concerns about the moral dangers and human costs which could be the result of war in the Persian Gulf.

The Catholic bishops of the United States met in our nation's capital this week and voted to affirm and make their own the enclosed letter of Archbishop Roger Mahony sent to Secretary Baker on November 7. The letter's central point was the urgent need to assess carefully and thoroughly the ethical and human consequences of war in the Persian Gulf. The letter strongly urges the moral imperative of persistent pursuit of non-violent international pressure to halt and reverse Iraq's aggression without resort to war.

As pastors we are deeply concerned about the human consequences of the crisis—the lives already lost or those that could be lost in war, the freedom denied to hostages, the suffering of victims of aggression and the many families separated by the demands of military service. As religious teachers, we are concerned about the moral dimensions of the crisis—the need to resist aggression, to protect the innocent, to pursue both justice

and peace in a way that conforms with ethical criteria for the use of force. As U.S. citizens, we are concerned how our nation can best protect human life and human rights and secure a peaceful and just resolution to the crisis.

These are not new concerns for Catholic bishops. We are heirs of a long tradition of thought and moral reflection on issues of war and peace, including "The Challenge of Peace," our pastoral letter of 1983. Catholic teaching reflects a strong presumption against war while admitting the moral permissibility of the use of force under certain restrictive conditions. These traditional "just war" criteria limit strictly the circumstances under which war may be morally justifiable and also govern the means by which war may be carried out. Now our conference seeks to apply this tradition to the complex and changing situation in the Persian Gulf. While there may be diverse points of view on the specific application of these principles, our conference finds significant consensus on four key priorities:

1. Strong condemnation of Iraq's aggression, hostage taking and other violations of human rights and our strong support for worldwide peaceful pressure and action to deter Iraq's aggression and secure the peaceful liberation of Kuwait.
2. The urgent need for the careful consideration of the moral and human consequences of the use of force as well as the military and political implications.
3. Clear moral criteria must be met to justify the use of military force. As outlined in Archbishop Mahony's letter, these include questions of a clear and just cause for war, proper authority and sufficient probability of success to justify the human and other costs of military action. The criteria also ask whether war is genuinely a last resort; all

reasonable peaceful alternatives must be fully pursued. Another criterion is proportionality: the human, economic and other costs of war must be proportionate to the objective to be achieved by the use of weapons of war. In this case, will war with Iraq leave the people of Kuwait, the Middle East and the world better or worse off? Our tradition also requires that the means and weapons used to pursue war must be proportionate as well and must discriminate between combatants and ordinary civilians. I fear that, in this situation, moving beyond the deployment of military forces in an effort to deter Iraqi aggression to the undertaking of offensive military action could well violate those criteria, especially the principles of proportionality and last resort.

4. Therefore, in our conference's view, our nation should continue strong, persistent and determined international and peaceful pressure against Iraq. Our conference understands that a strong military presence can give credibility to a vigorous pursuit of diplomatic and economic approaches to the crisis. Our concern is that the pressure to use military force could grow as the pursuit of non-violent options almost inevitably becomes difficult, complex and slow. We urge our government and our allies to continue to pursue the course of peaceful pressure and not resort to war. The use of weapons of war cannot be a substitute for the difficult, often time-consuming and frustrating work of searching for political solutions to the deep-seated problems in the Middle East which have contributed to this current crisis.

We are also concerned not only about the international consequences of possible war, but the domestic impact as well: the resources diverted, the human needs neglected, the potential political conflict and divisions within our society.

I believe, Mr. President, these are your concerns, even as they are ours.

I offer these reflections not to diminish in any way the necessary condemnation of Iraq's brutal actions. Rather, I speak with the firm conviction that our nation needs to continue to assess and discuss the ethical dimensions of this difficult situation. These discussions and this assessment must take place before, not after, offensive action is taken.

We stand with our government and the United Nations in the effort to halt and reverse Iraqi aggression, to condemn the taking of hostages and to secure their release. We strongly support and commend your efforts to build global solidarity and worldwide pressure against Iraq. Because of the serious moral and human factors involved, we ask you and the leaders of other governments to continue and intensify the determined and creative pursuit of a peaceful solution that seeks to bring justice to the region without resort to war.

Our prayers are with you as you face these awesome challenges and as you undertake a journey this Thanksgiving season so important for our country and the world. We also pray that other world leaders meet their responsibilities to pursue both justice and peace. Our prayers also go out to all those directly touched by this crisis; the victims of aggression, the hostages, troops in the field and their families.

We especially remember the members of our military forces, who face a difficult task in trying circumstances and who will bear the burden of the decisions made on how best to resolve this crisis. We hope and pray that these reflections from our conference's

perspective as pastors and teachers will strengthen our nation's determination to pursue true justice through peaceful means.

Appendix E

Testimony of Archbishop Roach

Before a Senate Committee

Archbishop John R. Roache of St. Paul-Minneapolis, the successor to Archbishop Roger Mahony as chairman of the United States Catholic Conference International Policy Committee, presented the following testimony on behalf of the conference to the Senate Foreign Relations Committee on December 6, 1990.

I COME BEFORE this committee on behalf of the U.S. Catholic Conference, the public-policy agency of the Roman Catholic bishops of the United States, to share our profound concerns about the moral dangers and human costs which could be the result of war in the Middle East. In this testimony, I seek to share the recent statement of our bishops conference and to address three issues: (1) the significance, politically and morally, of the public debate in the United States; (2) the moral criteria which should inform, direct and guide our discussion and decision-making on the use of force in the Middle East; and (3) some application of these moral criteria in the current crisis.

Role and Reflections of the Bishop's Conference

At the outset, let me address directly the question of why Catholic bishops are speaking out on this complex, controversial and conflicted matter. We recognize quite clearly that we are not experts on military or geopolitical matters. We are, however, pastors and teachers and citizens in a nation considering whether to go to war. As pastors, we are deeply concerned about the human consequences of this crisis—the lives lost or damaged by Iraq's aggression, the many lives that could be lost in war, the freedom denied to hostages and victims of aggression, and the families disrupted by the military steps already taken. As moral and religious teachers, we are required to address the moral dimensions of the choices facing our nation—the urgent need to resist aggression, to protect human life, to pursue both justice and peace, and to weigh the moral dangers and human costs of war. As U.S. citizens, we hope our nation will use its power and resources to restore justice while pursuing peace.

These are not new concerns for us. We are heirs of a long tradition of thought and reflection on these issues. Silence in this situation would be an abandonment of our responsibilities as pastors, teachers and religious leaders. We hope our reflections will contribute to a broad and necessary public dialogue about how our nation can best defend human rights and protect human life at this dangerous moment.

We very much welcome and support the president's announcement of a week ago that a direct dialogue with Iraq will be undertaken to make clear the world's insistence that Iraq abandon its aggression and to explore a peaceful resolution of the crisis. We hope this important step will contribute in a decisive way to a solution that is both just and

peaceful. I commend the president for this decision and pray that this major step forward will succeed in securing the liberation of Kuwait. This welcome initiative, however, does not relieve us of the urgent responsibility or necessity of a rigorous and informed analysis of under what conditions the use of deadly force can be justified. The success or failure of any particular diplomatic initiative cannot be the determining factor in the decision to go to war. We still must meet the traditional moral tests to justify resort to war.

At our recent general meeting, we Catholic bishops set aside our planned agenda to address the crisis in the Persian Gulf. We voted overwhelmingly (249-14) to make our own the attached letter of our International Policy Committee to Secretary of State James Baker outlining a series of moral questions about the use of force. And later, after discussion by the bishops in both public and executive session, the president of the bishop's conference, Archbishop Daniel Pilarczyk, wrote the attached letter to President Bush urging "the moral imperative of persistent pursuit of non-violent international pressure to halt and reverse Iraq's aggression without resort to war."

In that letter, Archbishop Pilarczyk describes several areas of consensus for our conference:

1. Universal condemnation of Iraq's brutal aggression and hostage taking.
2. Strong support for the worldwide peaceful pressure to deter and reverse Iraq's aggression.
3. The urgent need to consider fully the moral and human consequences of the use of force and to apply traditional moral criteria to the situation in the gulf.

4. The conviction that our nation should continue to apply strong, persistent and determined pressure to Iraq without resort to offensive military action, which could well violate traditional moral criteria.

These letters are the foundation of my testimony today. The efforts of the Catholic conference are attempts to define and raise the central moral questions which ought to be asked and answered whenever a nation stands at the intersection of war and peace as the United States does today. I address these difficult questions to prompt serious reflection, not to provide easy answers. There is a diversity of views within both our religious community and the wider society on the specific application of moral principles. But I hope these questions can help clarify both the ends we seek and the means we choose in pursuing justice in this difficult situation.

Significance and Substance of the Public Debate

In his letter to Secretary Baker, Archbishop Mahony, my predecessor as chairman of our International Policy Committee, said, "Our country needs an informed and substantive discussion of the human and ethical dimensions of the policy choices under consideration." The current policy choices concern how best to respond to the aggression perpetuated by Iraq against Kuwait, its territory, its sovereignty and its people. The American people and the Catholic bishops are united in our condemnation of Saddam Hussein's brutal action against Kuwait and the profound threat it poses to the very concept of international order. The difficult question is not whether Iraq's action should be opposed, but how best to do it.

The significance of the already wide-ranging public discussion taking place in the United States is that we have a rare public moment when the choice between war and peace, and when the merits and consequences of the use of force can be explicitly considered and debated.

The very scope and intensity of the debate under way, one which includes congresspersons and columnists, current and former public officials, religious leaders and military experts, relatives of those now deployed in the Gulf and those held hostage, illustrates a basic point: The moment of decision on the offensive use of force is still ahead of us. There is no clear U.S. consensus at the moment to sustain a resort to war. More time is clearly needed to consider the alternatives to and consequences of war. There should be no rush to judgment on the fateful question of turning from sustained political and economic pressure on Saddam Hussein to deciding there is no road left but war.

Some fear that public debate on the wisdom, morality or effectiveness of various options can send a confused or wrong signal to Saddam Hussein. I believe disciplined, reasoned public debate can send a much different message; that our nation will not tolerate aggression, that hostage taking and the exploitation of hostages will not be effective, and that the broad coalition of nations skillfully woven together by the Bush administration has the means and the will to oppose successfully Iraq's aggression. A discussion about appropriate means should not be confused with a debate about ultimate ends. This debate is about which means can be both effective in opposing aggression and consistent with our moral values as a people.

Some also warn that this kind of discussion can undermine the explicit military threat that is being made in order to force Iraq to back down and that this kind of public debate could make war more likely. However, the serious danger with this approach is that our nation could find itself fighting a war without clarity of purpose, public and political consensus, or adequate moral justification. The decision on whether we go to war should be made by our nation with full discussion of the moral, military, and other dimensions, not by Iraq's refusal to respond to deadlines. We need to examine thoroughly the moral and human consequences of war before, not after, offensive action is chosen.

In this public debate we should examine each of the relevant political, strategic, and economic issues at stake; but we must test them all in light of moral criteria. These moral questions probe the human costs and consequences of the use of force. There are heavy costs when aggression occurs; and there are also heavy costs when war is used to oppose aggression. The challenge before us is to redress the injustice which has occurred and to do it—if at all possible—without the use of deadly force. Some say war is already inevitable; I say that is much too quick a judgment and far too simple a solution. War could make the situation worse, not better. In order to avoid quick, simple and possibly wrong answers, we should test these proposals against the moral questions, principles and criteria which have been developed over the ages to assess the use of deadly force.

Moral Criteria

A. *The Catholic Church and the Ethic of War and Peace:* In our teaching about war and peace, the Catholic Church seeks to lift up these moral dimensions, ethical consequences and human costs. In our tradition, moral reasoning about the relationship

of politics and war begins with a presumption against the use of force. Even though the ethic which I represent as a Catholic bishop has been called the just war tradition, its purpose is not to facilitate the choice for war, but to make that choice both difficult and rarely used. This moral vision does allow, in very restricted cases, a justifiable resort to force. In the twentieth century, however, developments in weaponry have consistently raised the standards for justifying force and thereby reduced the instances whether moral approval can be given to the option of war. Modern warfare, even in its conventional version, is very hard to justify morally. Therefore, we begin our public debate about the Gulf with a presumption against going to war.

If the presumption is to be overridden or reversed three general questions must be asked and answered: (1) Why can force be used—for what cause? (2) When can force be used—under what conditions? (3) How should force be used—by what methods and means? These three questions in turn yield the specific criteria of the just war ethic that have developed in our tradition and are reflected in our letter to Secretary Baker.¹

B. *Just Cause*: The why question focuses upon the purpose for which force may be used, the question of just cause. Only the most severe circumstances can justify the use of deadly force. Generally speaking, our moral tradition has judged that force can be used to protect the innocent from attack to restore rights wrongfully denied and to re-establish order necessary for decent human existence.

Since August, the United States has articulated a series of purposes or objectives for U.S. policy. I believe it is necessary to sort out and test these objectives. They are not of the same value, and they do not all qualify as objectives for which the use of force can be

appropriate response. Among the expressed objectives of U.S. policy are the following: (1) to defend Saudi Arabia and to deter aggression against other Arab states; (2) to restore Kuwait's territorial integrity and its government; to expel Iraq from Kuwait and thereby terminate its brutal oppression of the Kuwaiti people; (3) to free all hostages held by Iraq; (4) to contribute to long-term stability in the Middle East by reducing the threat Iraq poses for its neighbors; (5) to guarantee secure access to oil supplies for the international community; and (6) to prevent Iraq from achieving nuclear capabilities.

It seems useful to note that the longer the list of purposes is, the more difficult it is to achieve either clarity or success. One of the troubling aspects of the current debate is how some commentators turn this extended list of objectives into a series of tests, where all objectives (and others they add like bringing down Saddam Hussein) become the minimum the United States must achieve in the Gulf. The logic of this argument is that failure to achieve all of the above would be seen as a serious defeat for the United States. The dynamic of this analysis almost inevitably leads to the conclusion that the use of deadly force is absolutely necessary for the United States. This multiplication of objectives is troubling, both politically and morally.

In this debate, our nation needs to clarify and assess the actual objectives of U.S. policy and evaluate whether the use of force is essential for their achievement. A quick survey of the most compelling reasons illustrates why there is such a strong public consensus supporting the efforts to resist Iraq's aggression. Iraq's flagrant violation of international law has given the international community good reason to mobilize political opposition, economic sanctions and military forces against Iraq. Still greater clarity on which, if any,

of the several causes justify the use of force and whether force is the only effective alternative is needed.

Clarifying and establishing a cause sufficient for the use of force is not adequate justification for war. The why question must lead to the when and how questions. These questions regarding the conditions for justifiable force place restraints on states precisely when they are convinced just cause exists. These questions restrain us when our instinct is to say, in the face of such obvious evil, war must be the only way. These questions remind us that the means of war can easily distort our most well-chosen objectives; that the costs of war are paid by the innocent as well as the guilty; and that the consequences of war are very unpredictable.

C. Proper Authority, Last Resort and Proportionality: In this testimony, I concentrate on three central tests which I believe are most pertinent to the present crisis. The application of moral principles to specific questions always involves prudential judgments based on assessments of the empirical situation. I share these reflections in the hope that they contribute to the dialogue over the best choices for our nation.

1. *Proper Authority:* This criterion raises the complex question of the division of power and authority in the U.S. constitutional framework. I am not a constitutional expert, and I do not intent to enter the debate about the scope of presidential authority and the rights of the Congress. However, I would use this principle to make a citizen's point: Where the decision is as fateful as war and peace, we all have an interest in shaping a decision which benefits from the widest range of insight, wisdom and judgment. A possible danger of the moment is that massive mobilization of forces may drive the decision about

war and peace to a precipitous conclusion. In this case, it seems that our national interest will best be served by defining "proper authority" in this case broadly, not narrowly. As has been pointed out, a president can start a war, but only a united nation can effectively sustain one.

2. *Last Resort*: The purpose of this principle is to insist that a nation must fully and faithfully pursue (not just try, but fully pursue) all reasonable political, diplomatic and economic means to resist aggression, vindicate rights and secure justice. In the present policy debate, this principle has particular relevance.

In response to the Iraqi invasion, the United States has made five related responses. The first was our leadership role in a series of U.N. resolutions which led to the economic blockade of Iraq and which seek to use non-violent but powerful measures to reverse the invasion and restore the *status quo ante* between Iraq and Kuwait. The second was the initial deployment of 200,000 American troops and the building of a coalition of other forces in order to deter further Iraqi aggression. The third was the decision to dispatch an additional 200,000 U.S. forces and to abandon rotation plans in order to provide an "offensive capacity." The fourth has been the successful effort to secure U.N. approval for what is generally understood as the use of offensive force after January 15. The fifth was the recent announcement of face-to-face discussion between the United States and Iraq.

The last-resort criterion places an enormous burden of proof on those who say it is now time to go to war. While I'm not an expert in these matters, I note that several experienced national leaders have recently testified that war is not the only way to resist

this aggression and that non-military options should be given a much longer time to work. The endorsement of the embargo and its potential long-term effectiveness by a number of former military and governmental officials highlights the need to keep in mind this criterion of last resort. The ethical restraint on war requires a nation to try all means short of war. The embargo needs time to work. If appropriate time is not allowed for it to work, it is not accurate to say it has been tried and failed. Last resort requires that the embargo not be dismissed before it has had the time needed to achieve the legitimate objectives for which it was designed. Before war can be justified, all peaceful means must be fully pursued. Thus far, I do not believe the principle of last resort has been met.

3. *Proportionality*: This criterion, I believe, is the most crucial measure of the current debate and is always difficult to apply. When we consider going to war, one question which the history of modern war has taught us to ask is, At what price? Are the objectives to be sought proportionate to the damage to be done and the human costs to be incurred by war? Are the means to be used consistent with the goals to be sought? In addressing the proportionality question we should particularly ask about (a) the kind of war this could be; (b) the scope of the war we might expect; and (c) the possible outcome of such a war.

(a) The kind of war: Will this war be as swift, neat and clear-cut as some suggest? Will it discriminate between aggressors and innocent civilians? With more than 400,000 allied forces facing over 600,000 Iraqi forces arrayed in the open territory of the Arabian desert and loaded with sophisticated weaponry, can we be certain about theories of a short, decisive battle? The air war, which some advocate as most effective and appropriate, is a

war to be waged against an industrial and populous society. Many military targets, are located in cities and populated areas. Can we adequately discriminate between civilians and aggressors?

(b) The scope of the war: Can war be confined just to Kuwait and Iraq? This war would be fought in a region loaded with interlocking conflicts: Israel vs. Arab; Arab vs Arab; with long histories of animosity and ancient grudges. It is these concerns and questions which lead me to doubt whether offensive military action can be demonstrated to be a truly proportionate response to the crisis in the Gulf.

(c) The consequences of war: What would we find at the end of the conflict? Of course, we want Iraq to leave Kuwait. But the consequences of war are rarely singular and fine tuned. As our previous letter asks, Will war with Iraq leave the people of Kuwait, the Middle East and the world, better or worse off?

Several leaders have made the point that our response to this crisis will set an important precedent for the post-Cold War period and could help shape a new international order. We agree, and that is why we are so insistent that political and non-violent means be fully pursued in order to deter and reverse aggression. We do not want to set the precedent of war as the logical or necessary response to serious provocation, violations of human rights, economic threats, or nuclear proliferation. The world needs to develop and strengthen its capacity to resist such serious violations of order and justice by united and determined action short of war. Given the remarkable global coalition opposed to Iraq's aggression, the world can demonstrate in this case that justice can be brought about by

determined and powerful solidarity among nations to isolate and punish those who violate fundamental principles of international order without launching a war.

Conclusion

In our view, the fundamental moral challenge for the United States and this broad international coalition remains to mobilize effectively the political will, diplomatic skill and economic strength to resist and reverse Iraq's aggression by peaceful, but determined means. We recognize that the deployment of significant military force can enhance the credibility and effectiveness of strong and non-violent pressures. But I believe a resort to offensive military action in this situation could well violate traditional moral criteria, undermine domestic unity and global solidarity against Iraq, and bring about an exceedingly dangerous, divisive, bloody and unnecessary war.

We appreciate the difficult situation our government faces in trying to reverse Iraq's aggression. We commend the skill and commitment the administration has shown in the building of an impressive worldwide coalition against aggression and the vital role of the United Nations in this effort. We recognize that quick U.S. action together with key Arab states and other nations probably deterred further aggression. We very much welcome and commend the recent decision to pursue direct contacts with Iraq and pray for its success. We strongly urge that our government continue to isolate and pressure Iraq by strong but peaceful means without resort to offensive military action. Give the world the time it needs to convince Iraq through non-violent but determined pressure that aggression will not pay.

We urge our nation and the global community to show their resolve, not by resort to war but by determined, steady and persistent pressure that will deny Iraq any advantage from aggression and ultimately require Iraq to respond to the powerful and united voices and actions of the world community. Patience and tenacity are not signs of weakness, but of strength and determination. We believe our nation and the world will continue to unite around the necessity of denying Hussein and his regime any benefit from their aggression. We hope and pray our nation will continue to choose determined and united pressure over the dangerous human and moral consequences of war.

It still seems possible to achieve the necessary objectives of opposing aggression, liberating Kuwait, and defending Saudi Arabia without resort to deadly force. The accomplishment of these goals by political means would be a resounding achievement for U.S. policy and for international order. It is this outcome which I believe should be desired, sought, and prayed for.

Appendix F

Statement From Eighteen Church

Leaders to the American People

A statement entitled "War Is Not the Answer: A Message to the American People" was issued in New York City on December 21, 1990, by eighteen church leaders who participated in a December 14-21 Church Leaders' Peace Pilgrimage to the Middle East. The trip was coordinated by staff members of the National Council of Churches.

WE ARE marching toward war. Indeed the stakes are horribly high. Military experts predict casualties in the tens and hundreds of thousands. And it won't end there. War would unleash a chain of human tragedies that will be with us for generations to come.

Our Christmas pilgrimage to the Middle East has utterly convinced us that war is not the answer. We believe the resort to massive violence to resolve the Gulf crisis would be politically and morally indefensible. One clear message emerged from our many conversations in these holy lands—"war would be a disaster for us all." We were told again and again, "Please go home and tell the American people that a way to peace can and must be found." We have concluded that in the Middle East today it is no longer only a question of right and wrong; it is also a matter of life and death.

The unspeakable loss of lives, especially innocent civilians, would be unacceptable on moral grounds. Nations hold in their hands weapons of mass destruction. It is entirely possible that war in the Middle East will destroy everything. No cause will be served, no crisis resolved, no justice secured.

War will not liberate Kuwait, it will destroy it. War will not save us from weapons of mass destruction, it will unleash them. War will not establish regional stability, it will inflame the entire Middle East. War will not resolve longstanding conflicts, it will explode them wider and deeper. War will not unite the Arabs with the West, it will rekindle painful historical memories of past efforts by the "Christian" West to dominate the "Muslim" East and divide us as never before, with potentially disastrous results for the local Christian communities. War will not stop aggression, it will instead rapidly accelerate the cycle of violence and revenge, which will not be limited to the Middle East.

We will also be ravaged here at home by a war in the Middle East. Given the make-up of U.S. volunteer armed forces, we know that those who will do most of the suffering and dying in the Gulf War will be disproportionately low-income and people of color. Similarly, if "Desert Shield" continues to swallow up limited national resources in a time of economic contraction, the prospects of justice at home will disappear like a mirage in the sand.

Again and again during our pilgrimage we heard the sentiment that peace in the Middle East is indivisible. While we do not accept the proposition that the resolution of all other conflicts must precede the solution of the Gulf crisis, we do believe that there will be no lasting peace in the region until interrelated issues are dealt with in a comprehensive framework. What is required is not "linkage," but consistency in the implementation of U.S. foreign policy. Our government should support the convening of an international Middle East peace conference by the United States.

We have prayed in Jerusalem for the peace of Jerusalem. Jerusalem's vocation as the city of peace will not be realized until both Israelis and Palestinians are free and fully protected in the exercise of their human rights within secure and recognized boundaries.

We have seen both the hopes and the frustrations of Lebanon as it emerges from its fifteen-year nightmare of civil war. A durable peace in Lebanon requires the withdrawal of all foreign forces—Syrian, Israeli and Iranian—and international support as Lebanon seeks to rebuild its shattered society.

We have felt the anguish of a divided Cyprus, which seems to have been forgotten by the world community. Cyprus can be united and free only when occupation forces are withdrawn from the island, and a unified and pluralistic Republic of Cyprus is acknowledged as the only legitimate government of the entire island and its population.

There is no such thing as a benign occupation. Occupation of the lands of others is wrong. It breeds frustration and frustration leads to conflict. Even as we oppose the Iraqi occupation of Kuwait on moral grounds, so also we believe that the West Bank and Gaza, Lebanon and Cyprus must be free. These occupations must end before even more precious human blood is shed.

We have looked into the faces of children in Iraq. In Jordan we have witnessed in dusty refugee camps the compassionate response of a democratic government and the churches to the thousands of evacuees who descended upon a country already impoverished by the Gulf crisis. We have seen fear in the eyes of people who could lose their homes or their lives in the event of war.

Having seen the faces of victims and potential victims, we believe that there must be an alternative to war. That alternative is negotiations—serious and substantive negotiations. If the United Nations can be mobilized to impose sanctions and to set dead-lines, it can also be mobilized to provide a forum to resolve disputes between nations. The U.N. can be the place where the deadly escalation of armaments of mass destruction in the Middle East can be reversed. The U.N. should be given the opportunity to provide a framework for an Arab contribution to the resolution of the Gulf crisis.

Our nation must not submit to the inevitability of war. By acting now on a very broad scale we as people of faith will mobilize on behalf of a peaceful alternative. Citizen action and the strength of public opinion could literally make possible a solution to this crisis without war.

We call upon the churches and upon the nation to fast and pray for peace, to pursue every means available of public dialogue and popular expression to find a way out of certain catastrophe, to resist the war option and help point the way to peace with justice.

At this moment, the resolution of the Gulf crisis will take a miracle. But in this season we are reminded that the Middle East is the cradle of miracles. That miracle must be acted and prayed into being.

BAGHDAD

Rt. Rev. EDMOND L. BROWNING, New York, NY
Presiding Bishop, The Episcopal Church

Rev. JOAN BROWN CAMPBELL, New York, NY
General Secretary-elect, National Council of Churches

Rev. Dr. MILTON B. EFTHIMIOUS, New York, NY
Greek Orthodox Archdiocese of North and South America

Rev. Dr. FRED LOFTON, Memphis, TN
Immediate Past President, Progressive National Baptist
Convention, Inc.
Representing Dr. Charles Adams, President, Progressive
National Baptist Convention, Inc.

Rev. Dr. EDWIN G. MULDER, New York, NY
General Secretary, Reformed Church in America

Bishop MELVIN G. TALBERT, San Francisco, CA
California-Nevada Annual Conference, United Methodist Church

JIM WALLIS, Washington, D.C.
Sojourners Magazine

Rev. Dr. DANIEL E. WEISS, Valley Forge, PA
General Secretary, American Baptist Churches in the USA

JERUSALEM

Bishop HERBERT W. CHILSTROM, Chicago, IL
Bishop, Evangelical Lutheran Church in America

Bishop VINTON ANDERSON, St. Louis, MO
Moderator, Black Church Liaison Committee of the World Council of Churches

Rev. MACCHARLES JONES, Kansas City, MO
Representing Dr. E.E. Jones, President, National Baptist Convention of America

Rev. Dr. DONALD E. MILLER, Elgin, IL
General Secretary, Church of the Brethren

Dr. PATRICIA J. RUMER, New York NY
General Director, Church Women United

Rev. Dr. ROBERT STEPHANOPOULOS, New York, NY
Standing Conference of Canonical Orthodox Bishops in the Americas
Dean of the Greek Orthodox Archdiocesan Cathedral of the Holy Trinity
Greek Orthodox Archdiocese of North and South America

Rev. ANGELIQUE WALKER-SMITH, Trenton, NJ

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National Baptist Convention, USA, Inc.

BEIRUT

Rev. Dr. JAMES E. ANDREWS, Louisville, KY
Stated Clerk, Presbyterian Church (USA)

Very Rev. LEONID KISHKOVSKY, Syosset, NY
President, National Council of Churches

Rev. Dr. PAUL SHERRY, Cleveland, OH
President, United Church of Christ

Appendix G

Message From Thirty-two Church

Leaders to President Bush

A telegram urging a delay of military action was sent to President George Bush by thirty-two church leaders on January 15, 1991.

MR. PRESIDENT,

We stand today on the verge of a military engagement whose dimensions are ominous and unforeseeable, and whose consequences for the peoples of the Gulf, the Middle East, our own nation, and the world as a whole are unfathomable. Once begun, it is unlikely that this battle can be contained in either scope, intensity, or time. And this we know out of bitter experience: in the paths of these armies will be ground to death aggressors and victims alike; the Kuwaiti lives, national dignity, and property which you deployed troops to rescue are likely to be destroyed; and very many of our own beloved countrymen and women will die. This sacrifice is out of proportion to any conceivable gain which might be achieved through military action.

We beseech you; do not lead our nation into this abyss.

Has the United States "used all appropriate diplomatic and other means to obtain compliance by Iraq with the United Nations Security Council resolutions," as the joint resolution of Congress requires you to determine? Can the human spirit and imagination be so limited? Has the will of the nations to cause Iraq to abide by international law through strict enforcement of economic sanctions been sufficiently tested?

We beseech you; before it is too late, delay military action, give peace another chance.

The Very Rev. LEONID KISHKOVSKY, Syosset, NY
President, National Council of Churches

JAMES A. HAMILTON, New York, NY
General Secretary, National Council of Churches

The Rev. JOAN BROWN CAMPBELL, New York, NY
General Secretary Elect, National Council of Churches

Father GABRIEL H. A. ABDELSAYED, Jersey City, NY
Coptic Orthodox Church in North America

DR. CHARLES Adams, Detroit, MI
Progressive National Baptist Convention, Inc.

The Rev. Dr. JAMES E. ANDREWS, Louisville, KY
Presbyterian Church (USA)

The Rt. Rev. EDMOND L. BROWNING, New York, NY
Episcopal Church

The Rt. Rev. BISHOP CHRISTOPHER, Sewickley, PA
Serbian Orthodox Church in the U.S.A. and Canada

Elder NICHOLAS C. CHUN, Los Angeles, CA
Korean Presbyterian Church in America

Bishop HERBERT W. CHILSTROM, Chicago, IL
Evangelical Lutheran Church in America

The Rev. Dr. MILTON B. EFTHIMIOU, New York, NY
(Representative of the Most Rev. Archbishop Iakovos)
Greek Orthodox Archdiocese of North and South America

Bishop ANDREW HARSANYI, Hopatcong, NJ
Hungarian Reformed Church in America

Bishop J. CLINTON HOGGARD, Washington, DC
African Methodist Episcopal Zion Church

The Rev. Dr. JOHN O. HUMBERT, Indianapolis, IN
Christian Church (Disciples of Christ)

The Rev. Dr. THEODORE, J. JEMISON, Baton Rouge, LA
National Baptist Convention U.S.A., Inc.

The Rev. Dr. E. EDWARD JONES, Shreveport, LA
National Baptist Convention of America

The Rev. Dr. DONALD E. MILLER, Elgin, IL
Church of the Brethren

The Rev. EDWIN G. MULDER, New York, NY
Reformed Church in America

Dr. PATRICIA J. RUMER, New York, NY
General Director, Church Women United

The Most Rev. Metropolitan PHILIP SALIBA,
Englewood, NJ
Antiochian Orthodox Christian Church

Archbishop Mar ATHANASIOS Y. SAMUEL, Lodi, NJ
Syrian Orthodox Church of Antioch

The Rev. Dr. PAUL SHERRY, Cleveland, OH
United Church of Christ

The Rev. Dr. J. RALPH SHOTWELL, Palos Heights, IL
International Council of Community Churches

Dr. RONALD J. SIDER, Philadelphia, PA
Executive Director, Evangelicals for Social Action

The Rev. Dr. GORDON L. SOMMERS, Bethlehem, PA
Moravian Church in America

EDWIN STAUDT III, Philadelphia, PA
Philadelphia Yearly Meeting/Religious Society of Friends

The Most Rev. JOHN S. SWANTEK, Scranton, PA
Polish National Catholic Church of America

The Rev. RICHARD H. TAFEL, Jr., Fort Myers Beach, FL

The Swedenborgian Church

Bishop MELVIN G. TALBERT, San Francisco, CA
The United Methodist Church

The Most Rev. METROPOLITAN THEODOSIU, Syosset, NY
The Orthodox Church in America

Mr. JIM WALLIS, Editor, Washington, DC
Sojourners Magazine

The Rev. Dr. DANIEL E. WEISS, Valley Forge, PA
American Baptist Churches in the U.S.A.

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